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Emile Carbonnel

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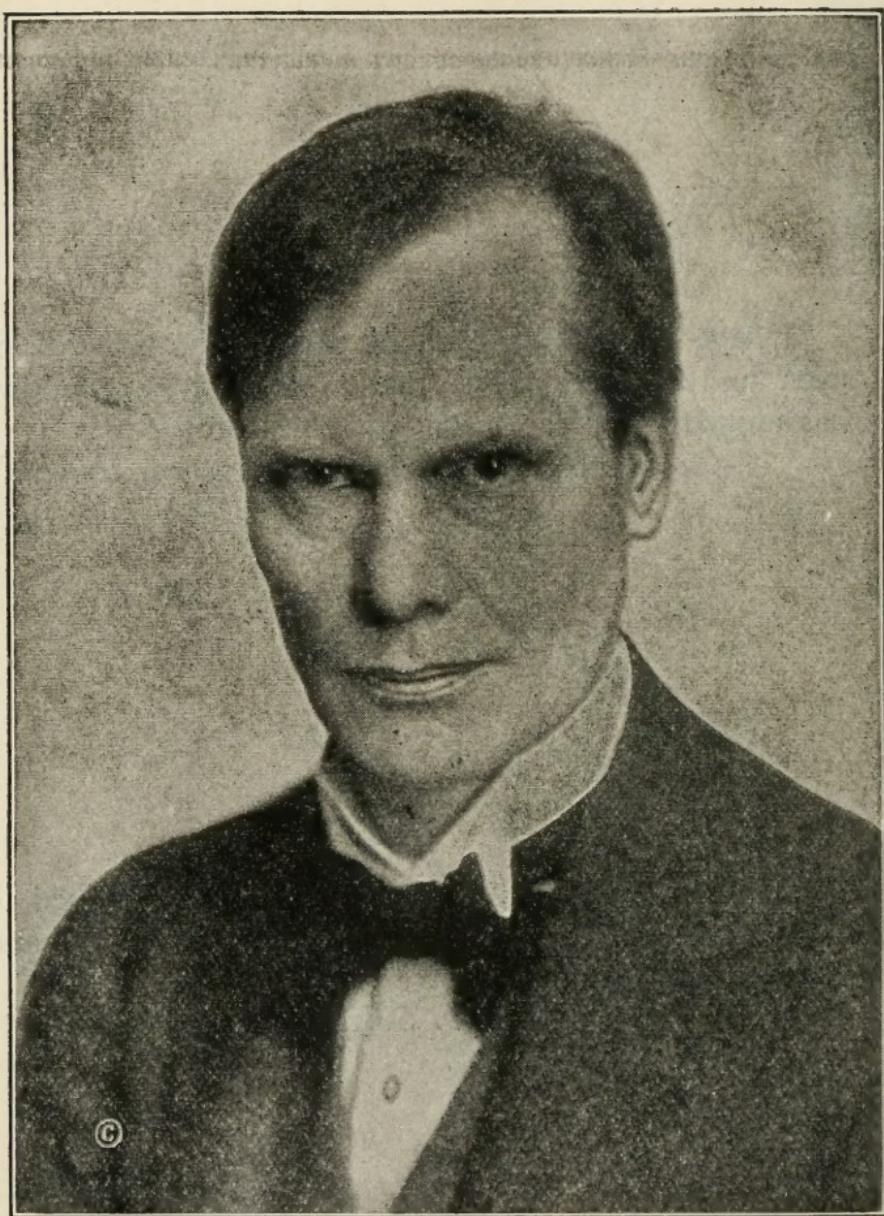
anterior wall.

"I have yet to meet a single person who believes, or even pretends to believe, that a single honest motive has animated the proceedings of your antagonists."

*—Letter of Col. Roosevelt to Governor Sulzer.*

"I refused to listen to the tempters, and resolved to go forward with the work for decent citizenship and honest government—come weal or woe."

*—Letter of Gov. Sulzer to Col. Roosevelt.*



Very truly yours Wm Seelye

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# THE BOSS, OR THE GOVERNOR

THE TRUTH ABOUT THE GREATEST  
POLITICAL CONSPIRACY IN THE  
HISTORY OF AMERICA

*By*

SAMUEL BELL THOMAS



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## THE AUTHOR'S PREFACE.

It is the custom of authors to give by way of preface the reasons for the book they write and ask the public to read.

There are three reasons for this book:

First: Truth.

Second: Law.

Third: Justice—"And for Justice, all seasons summer and all places a Temple."

The removal of Governor William Sulzer marked the zenith of the arrogance and the brutality of corrupt bossism in New York State. Up to this time political bosses had controlled party organizations; they had commanded legislatures and administrative officers of the state government; they had nominated, for a consideration, justices of the supreme court, but it remained for Charles F. Murphy, the reigning boss of his period, to impeach a governor because that governor refused to do the bidding of the boss.

In that respect, and for many other reasons, the removal of Governor Sulzer is without a parallel in history—since civilized government began.

It is one of the crises in human affairs, an event of epochal importance in the evolution of popular government. Only the perspective, which time and vision create, can reveal its tremendous significance.

It is doubtful whether any executive of New York State ever accomplished so much of permanent good to the public as did William Sulzer by his courageous and unswerving assault upon graft and bossism during the seven and a half months he was permitted to exercise the functions of the office.

History will record that William Sulzer proved faith-

ful to his trust while he was governor. He was the powerful instrument during that brief and interrupted term to strike the fatal blow to a political oligarchy, and to inaugurate a new era of freedom in the state government.

Governor Sulzer immediately was the victim of a corrupt boss, but primarily he was the victim of the Invisible Government—those sinister forces which stealthily and powerfully operated through the bosses.

His fate was designed by his assailants to be a warning forever to governors who dared to harbor any notions of independence.

The future historian will say Mr. Sulzer was removed from office not because he was corrupt, but because he would not be **DISHONEST**.

SAMUEL BELL THOMAS.

# The Boss, or the Governor

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## CHAPTER I.

### INTRODUCTION

By CHESTER C. PLATT, FORMER SECRETARY TO GOVERNOR SULZER.

The removal of William Sulzer, Governor of New York State, marked an epoch in the history of the commonwealth. Corrupt political bossism had shown amazing power in many ways, in many states, but never in such a startling manner as in the removal from office of a duly elected governor of the greatest state in the Union.

Mr. Sulzer was elected by a plurality of over 205,000, the largest ever given to a gubernatorial candidate. His administration had won popular approval, and when the impeachment resolution was passed in the assembly, Governor Sulzer was stronger with the rank and file of the voters of the state than he was on election day.

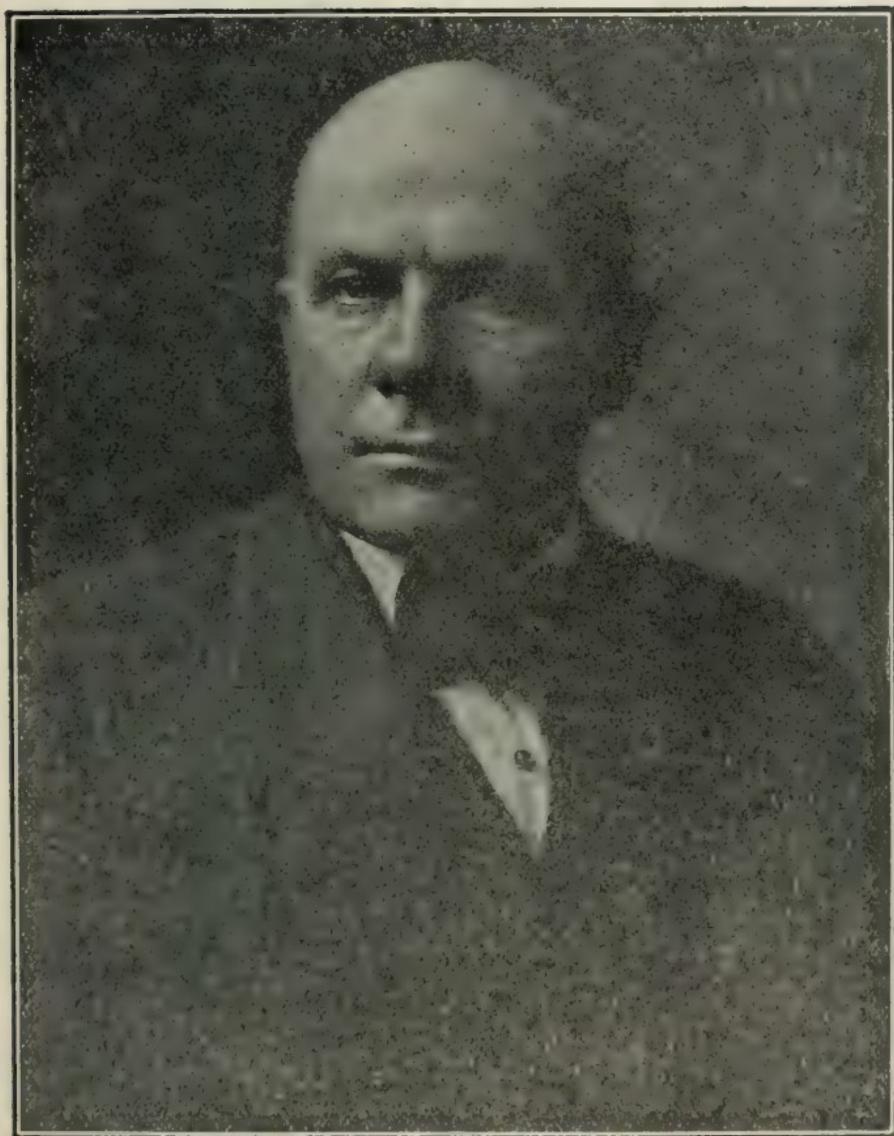
In the fall of 1912, when the defeat of the Democratic Party seemed impending, owing to the popularity of Oscar S. Straus, the leaders of the Democratic Party turned to William Sulzer, who had won such notable victories in the Tenth Congressional District, in New York City, and nominated him for governor. He not only

saved the party from defeat, but led it to a triumphant victory, and Woodrow Wilson, for President, carried the state by a vote almost as large as that given to Mr. Sulzer.

And then what startling events followed! No sooner was William Sulzer made governor than it at once appeared that he meant what he had said in his campaign speeches, when he declared that if elected governor he would be THE Governor, and that he never had a boss, and that he never would have one. Not such a startling utterance to come from a candidate for public office; but it was surprising to many who did not thoroughly know the man, that the implied promise in this utterance was faithfully carried out by Mr. Sulzer. And it was carried out, although to do so Mr. Sulzer often calmly sat and looked political death in the face, and although carrying out the promise brought attacks from Charles F. Murphy, the State boss, calculated to ruin Mr. Sulzer's reputation and to drive him in disgrace from public life.

Yet none of these things moved him, nor tempted him, to depart from his steadfast purpose to be the people's, and not the bosses' governor.

He was determined to administer the duties of his high office; to promote all the reforms so much needed; to remedy the corrupt political conditions of the times—reforms in line with those for which he had been struggling during eighteen years of faithful service to the people in the halls of Congress—reforms calculated to make easier the hard and cruel conditions surrounding the life of the wage-earners of our great cities—reforms calculated to curb the power of avaricious wealth, gained by grinding the faces of the poor, of wealth accumulated through evasions of law, of wealth piled up, mountain high, through the insidious passage of laws granting special privileges to the few, at the cost of the many—of reforms calculated to abolish political, economic and social injustice, to give uplift and succor to the friendless poor,



CHESTER C. PLATT

Progressive Democrat. Editor of the Batavia Times.  
Former Secretary to Governor Sulzer.

to give to the world's workers a fair share of the wealth they produce, that the homes of the honest toilers of our land may be the homes of happiness and plenty, and not homes of poverty and squalor.

"To make a happy hearthside clime to weans and wife,  
"That's the true pathos and sublime of human life."

How often had these immortal words of Burns been quoted by William Sulzer in his pleas for social justice, for conditions of employment uplifting and not degrading, for wages enabling the toiler to give to his loved ones some of the comforts as well as the bare necessities of existence; for remuneration that may place some adornments in the homes of the wage-workers; that may place some good books and magazines by the fireside; that may give him some hours of leisure to enjoy the pleasures of home, or to go to theatre, lecture or concert, and that may also give him that which is dearer to the human heart than all else, the opportunity to give his children a better education, a better training, and a better start in life than he had himself, in the years gone by.

Mr. Sulzer's career in Congress has demonstrated the truth of this characterization. He was the author of measures to grant liberal pensions to the old soldiers; to increase the pay of letter-carriers; to curb trusts and monopolies; to place government close to the people through the direct election of United States senators; to reduce tariff taxes; to provide an income tax; to establish postal savings banks, the parcel post, and to create a department of labor, with a secretary having a seat in the Cabinet. He showed himself the friend of the poor and oppressed of all nations by his resolutions of sympathy for the Cuban patriots, for the oppressed Jews in Russia, for the abrogation of the Russian treaty, and for the recognition of the Chinese republic.

Therefore, when Mr. Sulzer went to Albany and be-

came governor none of those who knew him best were surprised that a battle against grafters and corrupt bossism was begun. It was this battle, coupled with his determination to secure the enactment of measures that would give the people of the state an opportunity to nominate all candidates for offices that aroused the vindictive hatred of all the bosses of the state.

Muttered warnings of hostility were heard when the governor refused military pageantry at the inauguration ceremonies.

The threat direct came in Murphy's message, "Gaffney or war"—a message meaning that a state highway commissioner was to be appointed who would be indulgent to such men as Bart Dunn, the Tammany Hall member of the state committee, and William H. Whyard, the democratic boss of Rockland county, who were both indicted for highway frauds.

There were warnings which preceded the threat direct when the governor removed Hoefer for frauds in the state architect's department, and Superintendent Scott for corruption in the Prison Department, and thus took the first step which resulted in twelve indictments in connection with Great Meadow Prison, and five indictments in connection with the management of Sing Sing Prison.

There were more warnings when the governor removed C. Gordon Reel, of the highway department, and just in the nick of time to prevent the letting of a big bunch of bonanza highway contracts.

It grew more vindictive when the governor refused to turn the public service commissions over to the railroads by appointing George M. Palmer, Packey McCabe, and John Galvin to the commissions. To remove the governor from office was fully determined upon when he appointed a practical railroad man and a union wage worker as a member of the Public Service Commission, and signed the Full Crew bill.

William Sulzer was governor of New York State for

only nine months, but they were months big with accomplishments. During the three quarters of a year that he occupied the governor's chair, in pursuance of the advice of the best authorities in the field of sanitary science, the governor secured the passage of a bill reorganizing the public health department and increasing its efficiency to a degree that promises to check preventable diseases, prolong human life, and greatly increase the general health of the people.

The governor secured the passage of a bill reorganizing the labor department, which John Mitchell declared will make that department the most efficient and helpful to wage earners of any labor department of any state in the Union.

The governor started a movement to reform prison management, to reform our banking laws, and our laws relating to taxation. It is needless to say that none of these things won any approval from Charles F. Murphy, nor his manikins of the court of impeachment. They should have been particularly interested in the movement to make our prisons more decent, but they were not; they were concentrating all their endeavors to prevent grand jury investigations, from Lake Erie to Long Island—investigations which promised to greatly augment the overcrowded condition of the prisons of the state.

The Governor was not charged with wrong doing in office, except in trying to secure the passage of his bill for direct primaries to destroy boss rule.

It was not claimed at the time of the impeachment that corruption existed then in any department of the state, except the department of public works, and it was known that evidence for a grand jury investigation of this department had then been obtained by a commissioner appointed by the governor for this purpose, and that except for the starting of the impeachment proceedings the removal of Duncan W. Peck, the head of the department, would have been made.

It was not claimed that directly, or indirectly, the Governor had connived at corruption in any department or office of the state. It was not charged that the Governor had violated any law, in the slightest degree, in any official acts.

On the contrary it was his integrity, his incorruptibility and his refusal to turn the state over to grafters, coupled with his efforts to send the grafters to prison, that led to the impeachment proceedings. He sacrificed himself and his official career in an endeavor to save the state from civic pollution.

His jury was packed; his trial was a farce. A large proportion of the members of that court, although in form selected by the people, yet, in reality, were placed where they were by the appointment of the Governor's arch enemies, Charles F. Murphy, William H. Fitzpatrick and William Barnes.

In violation of the law, and of common sense, the governor's vindictive accusers, who had declared him guilty before the trial began, were allowed to sit as his judges, and to join in the issuance of a verdict which they determined should be rendered before a word of testimony had been taken. With these men admitted as duly accredited members of the court, ready at every executive session to attack the governor, what a travesty it was for the presiding judge to warn members of the court, after the testimony had all been taken, that they should not discuss the case with anyone outside their own numbers.

No wonder that even that conservative newspaper, the *Boston Transcript*, declared that "not since the days of King John has there been a greater travesty of justice than was presented by the composition of the New York court of impeachment." The governor was in fact deprived of the right which is accorded the meanest criminal in a jury trial—the right to an unprejudiced court. Prejudice, vindictiveness and political hatred were all deeply

rooted in the composition of the court of impeachment, which, according to all established standards of justice, should have been impartial.

With regard to questionable evidence, unfavorable to the governor, the court adopted the convenient theory, most agreeable to the governor's enemies, that the evidence should be received, and go on record, but the validity of it was not to be determined until the close of the trial. The principle of this ruling, however, was not followed with respect to proffered testimony in the governor's favor, which would have been given by John A. Hennessy, Samuel A. Beardsley, John N. Carlisle, and others.

The prosecution was permitted to roam at will, and go on all sorts of fishing expeditions, but the governor's lawyers were promptly checked when they sought to introduce evidence contradicting this questionable testimony.

To impeach an official for alleged offenses committed before he assumes the duty of the office, was in violation of all law and precedent. Furthermore, the court was without proper jurisdiction to try the governor on the impeachment resolutions passed at an extraordinary session of the legislature. The Constitution plainly says:

"At extraordinary sessions no subject shall be acted upon except such as the governor may recommend for consideration."

The attorneys for the prosecution were unable to explain away the plain meaning of these words to the average citizen of the state.

During his short career as governor Mr. Sulzer made a peculiarly effectual appeal to the moral and religious sentiment of the state. After the verdict of the impeachment court, every mail brought testimonials of confidence and esteem from ministers, teachers, and others, who were devoting their lives to political, social and moral reforms.

The country newspapers, throughout the state, de-

fended the Governor in their editorial columns. He received the support of such independent newspapers as the Albany Knickerbocker Press, the Albany Argus, the Troy Standard Press, the Troy Observer, the Rochester Herald, the Rochester Union and Advertiser, the Buffalo Courier, the Buffalo Inquirer, the Buffalo News, the Elmira Gazette, the New York Evening Mail, the New York Globe, and all the progressive papers in the state.

Why the governor's case looked so differently to the editors of the New York Times, Sun, and World, I will not undertake to explain, except to say that the moral and intellectual standard of such editors as Albert Shaw, of the Review of Reviews, Lyman Abbott and Theodore Roosevelt of the Outlook, Henry W. Stoddard and James Creelman of the Evening Mail, will compare favorably with those of the editors of the daily newspapers of New York City that turned against the Governor about the time that he signed the full crew bill, and vetoed the McKee school bills.

I have outlined the causes which led to Governor Sulzer's expulsion from office by what will be known to future historians not as it was called at the time "the high court of Impeachment," but as "Murphy's high court of infamy."

Soon after the close of the trial, in a notable speech, delivered at the Broadway Theatre on Sunday, October 26, Governor Sulzer uttered these impressive words:

"The judgment of that court will not stand the test of time. The future historian will do me justice. There is a higher court than Murphy's—the court of public opinion. I appeal from Murphy's court of infamy to the calmer judgment of posterity."

A few days after this Mr. Sulzer was elected a member of assembly, from the sixth assembly district, of New York City, a district forming part of the tenth congressional district which he represented for many years at the national capital. He was elected by a majority of

almost three to one over all his competitors, in a campaign unparalleled in the history of New York. At every meeting at which he spoke he was given a great ovation. No halls could hold one-tenth of the people who turned out to do him honor. The streets were choked with people for blocks in the neighborhood of the meeting places. Before and after each meeting Mr. Sulzer, from his automobile, addressed, in the streets, thousands of cheering men and women.

The campaign was a striking demonstration of the fact that the voters considered his impeachment a badge of honor. His election was a vindication. The verdict of the people reversed the verdict of Murphy's court, and William Sulzer has taken his place in history as one of the greatest, one of the most faithful, and one of the most courageous of New York's Governors—one of America's Great Reformers.

Wm. Sulzer is a real Tribune of the People—a great man—a great Governor—a great Reformer—his place in the hearts of the masses is secure—his fame in the annals of his country will endure. All honor and all praise to this brave, farseeing, Godfearing public servant—who loved Right, and did not fear Might.

CHESTER C. PLATT.

## CHAPTER II

## A SHORT SKETCH OF GOVERNOR WILLIAM SULZER

By COLONEL ALEXANDER S. BACON

William Sulzer, the forty-first Governor of New York State, was born in an old brick house on Liberty Street, Elizabeth, New Jersey, on March 18, 1863. He is the second son of a family of seven children—five boys and two girls.

Lydia Sulzer, his mother, was of Dutch and Scotch-Irish ancestry. Thomas Sulzer, his father, was born in Germany, and while a student at Heidelberg University, in 1848, joined the patriot army and fought to establish constitutional government. He was captured and put in prison, but made his escape to Switzerland—thence emigrating to New York City in 1851. He married there, and the family afterward moved to Elizabeth, N. J., and subsequently bought a farm at Wheatsheaf, a suburb of the former place, where the son, William, aided in the farm work, until he went to New York to study law.

William Sulzer was educated in the country school, and graduated from a grammar school in 1877. His parents desired him to study for the ministry, but he became interested in the legal profession and entered Columbia College Law School. He also studied law with Parrish and Pendleton in New York City. In 1884, at the age of twenty-one years, he was admitted to the practice of law at a General Term of the Supreme Court held in New York City, and at once opened a law office and began his life work as a lawyer. Early in his career he became a successful lawyer, and throughout his long

public service has been more or less engaged in the practice of his chosen profession.

He first entered political life prominently during the Presidential campaign of 1884, which terminated in the election of Grover Cleveland as President. Mr. Sulzer upon this occasion was one of the campaign speakers of the Democratic National Committee. Ever since 1884 he has participated actively in the speaking campaigns of the Democratic Party at each successive election.

In 1889 Mr. Sulzer was elected an Assemblyman from the fourteenth Assembly district on an independent ticket, being then only twenty-six years of age, winning the election by a plurality of about 800 votes, his platform being that the Broadway railway franchise should not be granted in perpetuity to a private monopoly.

He was re-elected to the Assembly in 1890, 1891, 1892 and 1893, and each year by increased majorities.

Soon after Mr. Sulzer's election to the Assembly he became widely known as an advocate of social, political and economic reforms, the chief among which were embodied in bills abolishing "sweat shops"; providing free lectures for working people; abolishing imprisonment for debt; providing for a Constitutional Convention; establishing "Freedom of Worship"; providing for the State care of the insane; for ballot reform; for the punishment of corrupt election practices; abolishing corporal punishment in the prisons; limiting the hours of labor; establishing a Saturday half holiday; providing for a weekly payment of wages; establishing a woman's reformatory; and for an epileptic colony. These bills, introduced and advocated by Mr. Sulzer, became laws.

The "Freedom of Worship" bill gave to the inmate of any State institution the right to worship God according to the dictates of his conscience. Up to the passage of the "State Care Act" a large proportion of the insane people of the State whose relatives were too poor to have them cared for in private hospitals for



COLONEL ALEXANDER S. BACON

Prominent lawyer, and well-known citizen. Chairman of the Executive Committee of the American Party. One of Mr. Sulzer's counsel in the proceedings brought against the Governor by Tammany.

the insane were in charge of local authorities. The "State Care Act" placed all the hospitals in charge of the State government and greatly improved the means taken to restore the inmates of these hospitals to health.

The title of the Saturday "half-holiday" act indicates the purpose of the measure—to give a longer period of rest for all workers. The women's reformatory was a much needed institution, and since it was established has finely accomplished the aims of those who suggested it. The law providing for free lectures for workingmen and working women has developed since in New York City into its magnificent lecture and musical entertainment system, where hundreds of lectures and musical entertainments are yearly given.

Mr. Sulzer, as a member of the assembly, also introduced and persuaded the Legislature to pass a law for the Columbian Celebration in New York City; a law codifying the statutes of the State; a law codifying the laws relating to the quarantine station; a law opening Stuyvesant Park, New York City, to the use of the people; a law opening New York's greatest art gallery, the Metropolitan Museum of Art, to people on Sunday; a law providing a prevailing rate of wage for working people; a law for a State forest park; the law for the preservation of the Adirondack forests; a law for the protection of the head waters of the Hudson River and the conservation of the natural resources of New York State; a law for the completion of the State Capitol; a Constitutional amendment for the enlargement of the State's canals; a law establishing the Aquarium in New York City; a law establishing Bronx and Van Cortlandt parks in New York City; the law establishing the great New York Public Library, with funds largely contributed by Ex-Governor Samuel J. Tilden; and the law compelling the New York Central Railroad Company to ventilate and light the Fourth Avenue tunnel.

Entering the Assembly as one of its youngest mem-

bers in 1890 he rapidly won fame and power and influence, and was one of the leaders in 1892, the Democrats being in control of the body; Speaker of the Assembly in 1893; and leader of the minority in 1894.

As Speaker of the Assembly he gave the people one of the cleanest, one of the most economical, and one of the shortest sessions of the Legislature in years. He was one of the fairest and most impartial presiding officers in the history of the state.

In 1894 Mr. Sulzer declined a renomination to the Assembly, and was nominated for Congress by the Democratic party in the Tenth Congressional District, which then formed a part of New York County, on the "East Side"—a strong Republican bailiwick. That year there was a Republican "landslide" and the Democratic party carried only five Congressional districts north of Mason and Dixon's line. Three of these were in New York City and one was Mr. Sulzer's district. Mr. Sulzer was elected by over 800 majority, although David B. Hill, the democratic candidate for Governor, lost the district by over 11,000. Two years later Mr. Sulzer, as a candidate for Congressman, was the only Democrat elected in his district, which he carried by three times the majority he received the first time he ran. This was the year of William J. Bryan's first campaign as a Democratic candidate for President, and although Mr. Sulzer was a staunch supporter of Mr. Bryan, the latter lost the Tenth Congress District by over 17,000 votes while Mr. Sulzer carried it by over 1,400. Four years later Mr. McKinley, running against Mr. Bryan the second time, carried the Tenth Congress District by 11,000, while Mr. Sulzer was elected by over 5,000. In 1906 Mr. Sulzer carried the district by over 11,000, receiving seventy-five per cent. of the entire vote cast. He is the only Democrat who has ever been able to carry the old Tenth District since Cleveland carried it for President in 1892.

For eighteen years Mr. Sulzer was a member of Congress. In that period he was the author of more than twenty-five distinct bills embodying progressive legislation. One law passed provided for the raising of the battleship Maine; a second law provided a light for the Statue of Liberty in New York harbor; a third law increased the pay of the letter carriers of the country. One of the chief laws framed and pressed by him, created the Bureau of Corporations—by which the anti-trust laws have since been enforced. He was the author of and succeeded in passing a pension law for the orphans and widows of the deceased soldiers and sailors of the Union army. He introduced the bill to regulate the interstate commerce railroads; the bill in behalf of victims of the disaster to the steamboat "General Slocum"; a bill to restore the merchant marine by giving preferential duties to American ships; a bill for federal aid in the construction of good national roads; a bill to reduce the tariff, especially on goods, wares and merchandise manufactured in the United States and sold cheaper in foreign countries than here; a bill placing on the free list meat, wood pulp, coal, lumber and white print paper; a bill to establish postal savings banks; a bill to establish a Department of Transportation; a bill to improve the Foreign Consular and diplomatic service; and a bill prohibiting the sailing of any ship from the United States unless equipped with safety devices.

He introduced and secured the passage of a resolution expressing sympathy with the Cuban patriots; the resolution of sympathy for the Boers in their heroic struggle to maintain their independence; the resolution of sympathy with oppressed Russian Jews; and the resolution abrogating the treaty with Russia, because that government refused to accept passports issued to Jewish citizens of this country. He also introduced and secured the passage of a resolution congratulating the people of China on the establishment of a republic.

Mr. Sulzer wielded a large influence in Congress, especially when he became Chairman of the House Committee on Foreign Affairs. He steadily opposed intervention in the affairs of Mexico. He stood firmly for peace, and became the eloquent champion of the rights of Latin America. He was the author of the resolution to abrogate the Russian treaty of 1832, already referred to. It was passed by a vote of 300 to 1—a memorable victory for the rights of American citizens.

A resolution of which he was the author provided for an investigation of the corrupt sale of the New York Custom House; he started the movement for the election of United States Senators by the direct vote of the people; originated the income tax amendment to the United States Constitution; brought about the abrogation of the Russian Treaty; and the establishment of the parcels post.

We give here two short speeches on matters of national moment—one delivered by Mr. Sulzer in the House of Representatives on the 27th of February, 1909. The bill to do justice to the negro soldiers was before the Congress. Mr. Sulzer took the floor and delivered the following eloquent address:

Mr. Sulzer said:

"Mr. Speaker: I am in favor of doing justice to the negro soldiers of the Twenty-fifth U. S. Infantry. I want to give these men their day in court. They are entitled to this. They never have had an opportunity to prove their innocence. If one be guilty let him be punished, but the innocent should be re-enlisted in the army and given all their rights and emoluments.

"The innocent should not be punished for the guilty. I voted in favor of this bill in the Committee on Military Affairs, and I shall vote to pass it through the House. No fair-minded man can consistently oppose this measure. It is honest and it is just.

"It will be justice to the innocent men. If we fail

to do justice in this case, we will be false to ourselves and false to every principle that we revere. If we refuse to do justice to the colored soldiers who are innocent, we will violate every tenet of our boasted love of fair play. In my opinion, if this bill becomes a law, no guilty man will be able to re-enlist in the army, and no innocent man should be prevented from doing so.

"I have no race prejudice where justice is concerned. I want to say that I am now, and always have been, and I trust always will be, in favor of equal and exact justice to all men—here and everywhere throughout the world—with regard to race or to creed.

"We must do justice in this matter. We cannot do less without stultifying ourselves and bringing our free institutions into strange contrast with our performances. I want to see justice done, and I hope the bill will pass. It is never too late to do justice. 'For justice all seasons summer, and all places a temple.'"

On December 18, 1905, Mr. Sulzer, speaking on his resolution, delivered the following eloquent tribute to the Jews:

"Mr. Speaker: I arraign Russia before the bar of civilization for great crimes against a common humanity. The Russian government is responsible for these outrages on the Jews.

"Why should we refrain from aiding the Jew in Russia? I say, in my judgment, it is the duty of our government to condemn these Jewish atrocities and to protest against these unspeakable crimes against the Jewish people in Russia in words that cannot be misunderstood, and I believe that if we do, that if we pass this resolution, that it will have the desired result and effectively put a stop to the Jewish outrages, atrocities and massacres in Russia. That right we have; let us exercise it. It will be a declaration

to the Czar, and to the grand dukes, who are directly responsible for these crimes, that the House of Representatives of the United States sympathizes with the Russian Jews the same as we would with any other outraged and oppressed people, and that we are opposed to these race crimes, and that the ruthless extermination of the Jews in Russia must cease. If this is all we can do, let us do it, and do it quickly; and I believe that if we do, our protest will be heard in St. Petersburg and that the Russian government will quickly see to it that the wholesale butchery of Jewish communities is stopped. We cannot ignore these crimes against humanity. We cannot escape our responsibility. These innocent victims are our brothers and our sisters—mankind throughout the world are one. A continuing crime against one race is the concern of all the other races.

"My heart goes out to the ravished and plundered and oppressed Jews in Russia. I grieve with those who grieve for the dead. I sympathize with the living and the terror-stricken. I have enlisted with all my soul in their cause, and in Congress and out of Congress I shall do all that I can to aid them to ameliorate their condition. I am not a bigot. I care naught for creed. I have no race prejudice. I stand for humanity, and a man is a man, for all that, to me. I have struggled all my life to help those who needed help, to do something to better the conditions of the poor and the humble, to aid oppressed humanity in every land and in every clime, and to raise the lowly to a higher plane and push them forward a step in the march of civilization.

"I am a friend of the Jews. It is, however, unnecessary for me, or any one else to eulogize the intrepid sons and the virtuous daughters of Israel. The Jew needs no eulogy. All he asks is justice. All he demands is equal opportunity and equality before the

law. The records of his race from the dawn of time down to the present day is the history of the march of humanity along the highways of progress and the avenues of civilization. In all ages of the world the ostracized Jew has done his share for his fellowman, for enlightenment, for liberty, for freedom, for progress and for civilization—and he has done it all in the face of adverse circumstances. In science and in art, in literature and philanthropy, the Jew, in all lands and in all times, has written his name high in the temple of fame. In statesmanship and diplomacy, in law and in medicine, in ethics and philosophy, in research and discovery, the greatness of the Jew is and ever has been unchallenged. In commerce and in trade, in industry and husbandry, overcoming forces that would deter another, he has held his own in the vanguard of progress. Persecuted for thousands of years, he has surmounted all obstacles; shunned for centuries, he has kept in the very front of the higher and the better civilization. In trial and in triumph, in sunshine and in storm, in war and in peace, on land and on sea, in all eras and in all places, the Jewish race has written its enduring name and its eternal fame all over the pages of human history."

Foremost among the achievements of Mr. Sulzer's career in Congress was the passage in the House during the session of 1912 of his bill establishing a Department of Labor with a Secretary in the Cabinet. Smiled at as a preposterous idea ten years ago, this bill finally passed the lower House unanimously. Its passage in the Senate followed.

The signing of this Department of Labor bill was the last official act of President Taft, and he did so on the personal appeal of Mr. Sulzer. The bill was first introduced by Mr. Sulzer in 1904, and was reintroduced and advocated by him in every Congress since that time. In support of the measure, on one occasion,

he thus addressed the House of Representatives:

"Mr. Speaker: My bill for a department of labor is a meritorious measure and it should be a law. It is the first bill ever introduced in Congress to create a Department of Labor. It is the first attempt to systematically classify labor in an intelligent way that has ever been presented in a bill in Congress, and its enactment into law will evidence a disposition on the part of the Government to see to it that labor gets full recognition, the dignity of having a voice in the councils of State, and the opportunity to have its claims dispassionately discussed. Give labor this boom and the 'labor question' will be reduced to the minimum.

"The expense of maintenance of the Department of Labor will practically be but little more than the expense for the maintenance of the various bureaus at the present time. These bureaus will all be in the Department of Labor. I do not think anyone will take exception to the bill on the ground that it is going to increase the expenses of the Government. A few thousand dollars in a matter of so much moment will be of little consequence. I believe that if this bill were on the statute books to-day it would be a long step toward better social, economical, and commercial conditions; a progressive advance along the avenues of industrial peace; that it would go far to allay jealousy, establish harmony, promote the general welfare, make the employer and employee better friends, prevent strikes, lockouts, blacklists, boycotts, and business paralysis, and every year save millions and millions of dollars of losses which necessarily result therefrom.

"Capital as well as labor should favor this Department of Labor, because it will go far to solve the labor problem and bring about industrial peace. For years this legislation has been advocated by the wage-earners of the country. The bill meets with their appro-

bation and has the approval of the best thought in our land. It has been indorsed by some of the ablest thinkers, some of the wisest political economists, and many of our leading newspapers. The time is ripe, it seems to me, for the creation of a Department of Labor with a secretary having a seat in the Cabinet, with all the rights and powers conferred by this bill. It will bring labor and capital closer together, and one is dependent on the other. They should be friends—not enemies—and walk hand in hand in the march along the paths of mutual prosperity. This bill, if it becomes a law, will go far to prevent serious labor troubles in the future, do much to solve existing labor problems, and every friend of industrial peace should aid in its enactment. The employers of labor, as well as the employees themselves, whether they belong to trades unions or not, are all, so far as I have been able to ascertain, in accord with the principles of this progressive legislation and heartily approve of this bill."

It was not until 1912, however, that Mr. Sulzer succeeded in having the bill favorably reported, and when it came before the House it passed without a dissenting vote.

After Mr. Sulzer's election as Governor he returned to Washington and spent about three weeks in Congress—partly for the purpose of urging the passage in the Senate of his bill creating a Department of Labor. It passed the Senate the latter part of February, 1913.

For two weeks prior to its passage friends of the measure were in frequent communication with Governor Sulzer reporting its progress. On its passage the Governor exchanged several telegrams and letters with President Taft, urging him to give the measure his official approval. In the Senate the bill was slightly amended which made necessary its repassage

in the House, where it was in charge of Mr. Sulzer's friend, Congressman William B. Wilson, who has been made Secretary of Labor by President Wilson.

Mr. Sulzer's bill provides for three assistant Secretaries of Labor, the work of the Department being divided as follows: Manufacturing and agricultural industries, building of highways and transportation industries, including the telephone and telegraph business; and the building and mercantile industries.

Each of the principal divisions of the Department of Labor will have a Bureau of Statistics to collect and report at least once each year as to the conditions of labor in each of the different industries. Special attention will also be given to the collection and publication of statistics regarding the unemployed.

One prime object of the new Department of Labor will be the establishment of Boards of Arbitration and Conciliation to prevent strikes, as well as to prevent labor disturbances among employees or corporations doing an interstate commerce business.

Mr. Sulzer's record in Congress is a monument to his indefatigable industry, and the enactment of progressive legislation along constructive lines.

In January, 1908, Mr. Sulzer married Miss Clara Rodelheim, of Philadelphia, Pa., and Mrs. Sulzer is as democratic and as popular with the people as her distinguished husband.

Mr. Sulzer was elected Governor on November 5, 1912, by a plurality of 205,454, which was the largest plurality ever given in the State of New York for any candidate for Governor. He received 649,559 votes as the Democratic candidate, while Job E. Hedges, Republican, received 444,105, and Oscar S. Straus, Progressive, 393,183. Mr. Sulzer's large plurality was the more remarkable since Mr. Straus in his campaign declared for the reforms of which Mr. Sulzer for many years had been one of the leading advocates.

It will add to the interest of this character sketch of William Sulzer to describe some of his habits and recount some of his sayings which reveal him as a Governor different in many respects from any who have held office before him. During the campaign which preceded his election he made few promises as to his future policies. One of his oft repeated epigrams was "An ounce of performance is worth a ton of promise." And he pointed out that his record of legislative achievement during five years at Albany and eighteen years at Washington gave the best forecast of what principles would certainly guide him in administering the office of Governor. "The record of the past," he said over and over again, "is the best guarantee for the future."

In many of his speeches he said, "when I am elected Governor the latch-string of the door of the executive office at Albany will always be on the outside, and it will not be so high but that the lowliest can reach it, and the humblest citizen of the State may come to Albany and see the Governor and be treated with as much consideration as the richest and most powerful."

This promise which caused smiles of incredulity with some who did not know the man who made the promise has been carried out with a faithfulness that has resulted in practices which have destroyed many official precedents and rules of official procedure; precedents and rules which have prevailed for many years. It has been in some administrations the rule that few could see the Governor except through an appointment made with the secretary and to make such an appointment was often difficult. Only persons of distinction could get an appointment without first stating the object of their visit and many who wished to make such engagements were unable to show satisfactory evidence that they themselves, or the subject

of their visit, were of sufficient importance to merit a personal interview with the Chief Executive.

Since Mr. Sulzer has been Governor all this is changed. Man, woman or child, black or white, rich or poor, high or low, everyone who wants to see the Governor sees him and the richest and most powerful must wait and take their turn. This has caused some remonstrances to which the Governor only replies, "I am a Democrat and must treat all alike."

So the Governor sees all his visitors in the large reception room of the Executive Chamber. Many have private conversations with him, seated by the side of his big desk. But there are no secret interviews in the so-called "back office." This is the Governor's workshop where he needs only his stenographer.

There was considerable comment when on Inauguration Day the customary military parade was omitted and the Governor walked from the "People's House" to the Capitol to take the oath of office and deliver his inaugural address. "I wish," wrote Governor Sulzer to the Secretary of State, "that all the arrangements for my inauguration be as simple, and as economical, and as democratic as possible." The simplicity which characterized the inaugural ceremonies has been paralleled in many ways in connection with the Governor's daily life. The Executive Mansion has been rechristened "the People's House." The public was invited to the Legislative Reception and the attendance was the largest ever known. Albany newspapers declared that 10,000 persons were in attendance.

The rule that the Governor must be attended when receiving visitors at the Executive Chamber by either his Military Secretary or his Private Secretary is ignored. So is the rule that on the street and at public functions one of his Secretaries shall always accompany him. Sometimes the Governor is accompanied

and sometimes he is not. He prefers to go and come alone. Several times he has attended public dinners in the evening and afterward walked from the hotel where they were given to his home. The Governor always walks to and from the Capitol. His life and habits are simple in every way and democratic to the extreme.

Not only does the Governor show his democratic impulses and his disposition to keep closely in touch with the common man by meeting personally as many of his constituents as possible, but he keeps up a large daily correspondence with persons from all parts of the State, which makes his mail five times as voluminous as that of any of his predecessors, and he prizes highly not only letters of commendation, but also letters which contain words of counsel or criticism regarding public policies, appointments made, and legislative measures advocated.

Mr. Sulzer is progressive in his ideas; takes a broad view of every question; has few prejudices, and those only against intrenched wrongs he wants to see remedied. In his efforts for a common humanity he knows no race, no creed, and no previous condition. He is for man—that is all.

In his speech of acceptance, Governor Sulzer said: "I will go into office without a promise except my promise to all the people to serve them faithfully and honestly and to the best of my ability. I am free, without entanglements, and shall remain free. If elected I shall follow the street called straight and the Executive Office will be in the Capitol. When I take the oath as Governor I shall enforce the laws fearlessly and impartially, but with malice toward none. Those who know me best know that I stand firmly for certain fundamental principles—for liberty under law; for civil and religious freedom; for Constitutional government; for the old integrities and the new

humanities; for equality before the law; for equal rights to all and special privileges for none; for the cause that lacks assistance; against the wrongs that need resistance; and for unshackled opportunity as the beacon-light of individual hope and the best guarantee for the perpetuity of our free institutions. No influence will control me but the influence of my conscience, and my determination to do my full duty to all the people, as God gives me the light."

In his first annual message to the Legislature of 1913, Mr. Sulzer said:

"In view of the increasing expenditures in the administration of State affairs, mounting higher and higher each succeeding year, and necessarily imposing onerous burdens on our taxpayers, I recommend genuine retrenchment in every department of the State, to the end that expenditures be kept down to the minimum and taxation materially reduced.

"Unless this is done in a systematic way additional methods must be devised to raise greater revenue. I am in sympathy with the oppressed taxpayers of our State and to the best of my ability will aid you in your efforts to lighten their burden. Nothing will gratify me more than to be able to say to the people when you adjourn that this Legislature was one of the most economical in the history of the State, and by its wisdom and economies wiped out every vestige of direct tax.

"The way to stop waste and extravagance is to retrench and economize. A cursory examination into State affairs convinces me that many expenditures can be stopped and efficiency promoted if every State officer will clean house, stop waste, and practice every economy consistent with good government and the orderly administration of public affairs.

"Let us do our best, day in and day out, to save wherever it is possible, and make honesty and sim-

plicity, economy and efficiency, the watchwords of our administration of the people's business."

The Governor also said in his annual message that many worthy citizens had suggested to him the advisability of examining, through a Committee of Inquiry, into every department of the State government to ascertain where expenditures could be checked and the money of the taxpayers saved. A few days later he appointed John N. Carlisle, of Watertown; John H. Delaney, of the Borough of Brooklyn, New York; and H. Gordon Lynn, of the Borough of Manhattan, New York, a Committee of Inquiry, to examine and investigate the management and affairs of any and all departments, boards, bureaus or commissions in the State. Thus for the first time in the history of the State a Committee of Inquiry was established. The Committee in its initial work recommended a decrease in the proposed appropriations for certain departments. It followed up this action by an exhaustive consideration of the sinking funds of the State, reaching the conclusion that there had been an excess of the necessary accumulations for the support of the sinking funds to the amount of \$18,773,045.97. Commenting upon the report Governor Sulzer said:

"This huge accumulation of unnecessary moneys by the imposition of an inequitable tax year after year is the result of poor business administration of State affairs and would ultimately amount to a sum of money in excess of the requirements of the whole amount of authorized bond issues of \$234,000,000."

Still later the Committee of Inquiry stated that at every turn in their examination of State affairs they had noticed a lack of system and method in the administration of the business of the State, a wide departure from anything like uniformity and an unscientific and wasteful absence of appropriate provisions for the promotion of economy. With the view

of remedying these evils the Committee of Inquiry proposed the creation of a Department of Efficiency and Economy; of a State Board of Estimate; of a State Board of Contract and Supply; and the passage of a bill giving the State Comptroller ample powers of auditing the accounts of all State departments.

Commenting upon the bills to carry out these reforms Governor Sulzer said: "These bills meet my approval and will now be introduced in the Legislature. They will put the administration of State affairs on a business basis, I want to do that, and these bills will do it. I trust they will promptly be passed. When they become laws it will mean the saving to the taxpayers of millions of dollars every year."

In a message addressed to the Legislature early in his administration, Governor Sulzer called attention to the necessity of remedial legislation regarding stock exchanges, treating of "manipulation," "concerted movements to deceive," "short sales," "hypothecation of securities," "trading against customers' orders," "usury," etc. Eleven bills were prepared by the Governor and introduced in both Houses of the Legislature to carry his recommendations into effect.

The second week of his administration Governor Sulzer appointed a special commission to collect facts, receive suggestions and make recommendations as to changes in the Public Health Laws and their administration. This special commission of eminent citizens consisted of Hermann M. Biggs, M. D., chairman; Homer Folks, secretary; John A. Kingsbury, assistant secretary; E. R. Baldwin, M. D., W. E. Milbank, M. D., Mary Adelaide Nutting, John C. Otis, M. D., and Ansley Wilcox.

"In five weeks," as Governor Sulzer said in a message to the Legislature, "the commission collected a surprisingly large amount of authoritative information with regard to public health work in the various parts of the

State, and submitted findings and recommendations of great interest for the improvement of the laws relating to health."

At a complimentary dinner given in his honor at the celebrated Lotos Club, New York city, Saturday night, February 8, 1913, Mr. Sulzer spoke in part, as follows:

"As many of you know, from reading the newspapers, I have been a very busy man ever since I took the oath of office as the Governor of the State. To tell the truth I have been working on an average about eighteen hours out of the twenty-four, and this is the first public dinner, or reception, or entertainment, I have been able to attend since the first day of January. Being Governor of New York is no easy job—that is if you want to be The Governor.

"The members of the Lotos Club are famous for their knowledge of literature, and are familiar, therefore, with the advice Don Quixote gave his faithful follower on 'How to be a Governor;' and the subtle reply of that diplomatic individual when he said: 'He would rather be Sancho Panza and go to Heaven, than be Governor and go to Hell.' Many people, I am reminded daily, take the same view concerning the ultimate destiny of the Governor of the Empire State. All of which goes to prove that although we live in a progressive period, human nature is much the same now as it was in the days of the gallant Knight de la Mancha.

"Before I was elected I made up my mind if successful, to be the Governor of all the people. I am going to be. I intend to do the best I can, in my own way, according to my own light, regardless of the political future, or of personal consequences, because I know that the political future is uncertain and that consequences are unpitying.

"Long ago I made a vow to the people that if I became Governor no influence would control me but the dic-

tates of my conscience and my determination to do my duty day in and day out, as I see the right. Have no fear. I shall stick to that.

"I stand now where I always have stood, and where I always will stand—for certain fundamental principles—for freedom of speech; for the right of lawful assembly; for the freedom of the press; for liberty under law; for civil and religious freedom; for constitutional government; for equality and justice to all; for home rule; for the reserved rights of the State; for equal rights to every one, and special privileges to no one; and for unshackled opportunity as the beacon light of individual hope, and the best guarantee for the perpetuity of our free institutions.

"New York is the greatest State in the Union. It should always be an exemplar of economical and efficient and progressive administration. As its Governor I shall, in so far as I can, give the people of the State, an honest, an efficient, an economical and a businesslike administration of public affairs. I say businesslike advisedly, because I assure the business men in every part of our State that they can rely on me at all times to do my utmost to promote the commercial interests of our commonwealth. I realize how important they are, and shall always be exceedingly careful to take no step that will jeopardize the financial and the commercial supremacy of the first State in the Republic.

"Suffice it to say that I am a friend of every business whether big or little, so long as it is legitimate, and will always have its welfare in view in the administration of State affairs. To this end I shall continue to work unceasingly for quicker and better transportation agencies, and for improved and larger terminal facilities, in order that New York shall continue to receive her just share of the trade and the commerce of the country.

"Whenever in doubt, it is my purpose to confide in

the people, and I indulge the hope that when my official term comes to an end I shall have accomplished something to merit their approval, and to justify the confidence they have reposed in the rectitude of my intentions.

"That is all there is to it, and that is all there is to say just now. I have little vanity. I want no glory—no credit for doing my duty—no future preferment—and when the office the people gave me goes back to the people—to whom it belongs—to give to some other man—I say again, and I say advisedly—I want to retire from the misrepresentations and the disappointments of political life—to a little farm, by the side of the road, and be the friend of man."

Mr. Sulzer is a hard worker—and puts in about sixteen hours a day toiling for the people. He resorts to no political arts or personal pretenses. He is just a plain, common, every-day plodding, good-natured citizen, sincere, square, and loyal in every fiber of his manhood. He does not command support by subtle influences, trickery, hypocrisy, self-advertising and the command of wealth, like some others, but succeeds solely through his brains, his intrepidity and his fidelity to friends and to principles. He never had a press agent. He never financed a publicity bureau. He never paid for puffs. He does his work day in and day out, year after year, quietly, modestly, confident the results will ultimately speak for themselves, and conscious of the fact that the knowledge of duty well done, for duty's sake, and in the cause of freedom and righteousness and humanity, is after all the best reward and the most lasting recompense a public servant can have.

Mr. Sulzer has always been a very modest man concerning his own achievements. And yet the more the people know about Mr. Sulzer the better they like him. As the record of his achievements is unfolded the greater and the grander stands out the man—the plain man of

the plain people—and they know him and they love him—this man who does things for the people for the intense love of doing them, and goes his way day after day happy in the consciousness that there is work to do, and that he is doing his share in his day and generation to make the world better and happier as the Master intended.

Governor Sulzer is a "Commoner" through and through. The more you know about him—the more you see of him—the more you study him at close range—the more you like him and the more you will appreciate what he has done, and glory in his trials and his triumphs. He needs no eulogy. His career of struggle for higher and better things from a poor farm boy to the Governorship of the greatest State in the Union is an epic poem.

Mr. Sulzer is of large stature, standing over six feet in height with a weight of 185 pounds which he carries with the grace of a trained athlete. He is abstemious; has sandy hair and steel blue eyes that look straight into yours, and read your innermost thoughts. During the war with Spain he organized a regiment of volunteers and was elected colonel, but for political reasons it was not called into active service. Two of his younger brothers—a captain and a lieutenant—died in the service of their country.

At the banquet of the Home Rule Conference and Municipal Government Association of New York State and the Legislative Committee of the New York State Conference of Mayors, at the Hotel Ten Ecyck, Albany, N. Y., Thursday evening, March 13, 1913, Mr. Sulzer said in part:

"The sentiment back of the demand for home rule is the same sentiment that animated the patriotic fathers in their heroic struggle for Independence. It breathes the spirit of the Declaration, and it voices the aspirations of every lover of Liberty.

"No man is more in favor of home rule than I am. It is a part of my political religion. I believe in local self-government for village, and for town, and for city, and for county; and I know that the people are capable of self-government. A denial of this proposition is an indictment of American intelligence and patriotism.

"In my message to the Legislature I said: 'Let us stand squarely for home rule and local self-government—home rule for the State—for the reserved rights of the State—against encroachments by the central government at Washington. Home rule for the counties, and the cities, and the towns, and the villages of the State, against legislative tinkering and invasion.' I stand for that. There will be no step backward.

"I believe in local autonomy as a fundamental right. The experience of years has taught us that many of the evils the people want remedied; that most of the things the people want done; can be remedied, and can be done, through local agencies, without interference by the National and State Legislatures.

"Let me urge the people to be firm at all times for home rule; and for the rights of the people in their respective communities to govern themselves politically, without legislative interference except when absolutely necessary. In the future as in the past I shall adhere to that without deviation. The people can count on me, as the Governor of the State, not to interfere with home rule in any locality if I can possibly avoid it. If I do interfere, directly, it must be for the general welfare, and then only in a case that rises superior to local considerations and for the good of the common weal.

"I am now, and ever have been, in accord with that fundamental principle of American statesmanship which asserts that the States in themselves are sovereigns, and I stand unequivocally for their reserved rights against the tendencies of centralization of the Federal Govern-

ment. We know that the States are divided into counties, and that each county, in so far as possible, should have the right to govern itself in civil and political matters. For that reason, as the Governor, I am determined to recognize the rights of the counties in every part of the State through their duly constituted officials and their electoral machinery.

"Then again, the counties have within their confines, the villages, the towns, and the cities; and I want to see the greatest amount of local authority concentrated in the hands of the officials of these constituent parts of the counties of the State.

"As Thomas Jefferson well said, 'If we are directed from Washington when to sow and when to reap we shall soon want bread.' If that applies to the seat of the Federal Government in connection with the rights of the States, it applies with greater force to the seat of the State Government in connection with the rights of the counties, the cities, the towns, and the villages of the State.

"We know that in the diversification of power lies the safety of the State. We cannot deny the proposition that one generation is as capable as another of taking care of its own local affairs and solving its own local problems. Ralph Waldo Emerson said: 'All forms of government are ridiculous except those which men make for themselves.'

"You remember Mark Twain once said, 'when in doubt take a drink.' My policy as Governor is a little different—when in doubt I shall confide in the people. I enunciated that idea in my inaugural address, and have been practising it now and then as occasion arises. I know the power of public opinion. I believe that all the people are wiser than a few of the people. Public opinion is the safest guide for legislation as well as po-

litical conduct. As the Bible says: 'In a multitude of counsel there is much wisdom.'

"Cities should be as free from interference by the State as the States should be free from interference by the Federal Government. Municipalities should be independent in matters of purely local concern, and they should have the right to adopt their own charter, just as the people of the State have the right to adopt their own constitution. Municipalities should have the right to call a city charter convention the same as the people of the State have the right to call a constitutional convention.

"The trouble with the cities is not too much democracy but too little democracy. There is too much State control. We need Home Rule to create city democracies, like those of Athens and Rome. It was *freedom* that inspired in these cities local *patriotism* such as seldom has been equalled in all the annals of the world.

"Home Rule is the demand on the part of the people to be trusted—trusted to govern themselves. Democracy rather than class interest is becoming intelligently organized. With the growth of cities they are becoming political units of great importance to the State. The opponents of Home Rule distrust democracy, but I do not fear the people. I fear special privileges. Home rulers trust the people, their opponents fear popular control.

"It is because of the survival of old monarchial ideas that our cities are not more independent. We proceed on the theory that the sovereignty which grants a city charter is a power similar to that formerly wielded by kings and emperors. It is a concession apparently that we grant to cities power to do this or that. But in a republic such as ours the sovereignty resides in the people. The electors are the sovereigns. All just governments obtain their powers from the consent of the people.

"We have the highest authority for Home Rule.

Thomas Jefferson believed that the permanency of our nation depended upon distribution of the powers of government.

"The diversification of power is necessary for the safety of the State. Home Rule is the aspiration of the progressive spirit of our times, which demands that affairs of government shall be placed close to the people and kept there. When legislation for a community is carried on at a distance—public opinion fails to properly influence that legislation.

"Public hearings are efforts to overcome this evil. It is better to have our legislative body close to the community than to take representatives of a community long distances to meet the Legislature.

"Let our cities be kept as free from State invasion as the State is kept free from national interference. As states adopt their own constitutions so should cities adopt their own charters. The cure for the evils of democracy is more democracy."

Mr. Sulzer, without doubt, is the best vote getter today in the State of New York. He has always run thousands of votes ahead of his ticket. He has never been defeated. He is a man of the people and for the people.

He is a 32d degree Mason, has held all the honors in the craft, and years ago became a life member. He is a member of Lloyd Aspinwall Post, G. A. R.; the Army and Navy Union; the Eagles; the Pioneers of Alaska; the Arctic Brotherhood; the National Democratic Clubs; Manhattan Club; Press Club; Masonic Club; and other social clubs in Washington and New York city. He is a protestant, and his church affiliations are with the Presbyterian denomination. His most profitable reading has been history, philosophy, and political economy; and his advice to young men is to work hard, cultivate good habits, have a motive in life, and a positive determination to succeed.

Critics have said that Mr. Sulzer is one of the most gifted orators in America. Most of his speeches are impromptu and delivered without preparation. Perhaps one of the most remarkable of these is the classic he made on the field of Gettysburg, July 3, 1913. When suddenly called upon by Governor Tener for an address, Mr. Sulzer said:

"Gettysburg is fame's eternal camping ground—an inspiration and a shrine—sacred to the heroic men, living and dead, whose struggle here hallowed this ground for all the centuries yet to come.

"All honor and all glory to the men, from upland and from lowland, who met here to do and die for country. Their fame is secure. Their memory will endure.

"Fifty years ago, Great Captains with their men from North and South—the bravest of the brave that ever faced a foe—struggled here and there across this plain, amid the roar of cannon, for three long weary days, in the mightiest contest that ever shook our land; and in that clash of arms it was decided, then and here, that all men must be free; and that the Republic of the Fathers shall not perish from the earth.

"Half a century has come and gone since that terrific conflict, but the intervening years have only added a greater splendor to the sacrifice, and a grander glory to the victory.

"History tells us that on this far-famed field was fought the decisive battle of the War between the States; that it was here the tide for Union—of all that we are, and all that we hope to be—turned to Old Glory; that it was here the triumph of the Stars and Stripes, over the Stars and Bars, saved from dissolution the greatest Republic the sun of noon has ever seen; and that the valor, and the heroism, and the devotion, and the chivalry, here displayed, by the men in blue and the men in gray, will

live throughout the years of Time—the heritage of all—in the song and story of America."

Mr. Sulzer is a very busy man, but his spare hours are spent in writing a book on "Political Economy," which his friends believe will be a standard text-book on economic principles. His rugged honesty, his loyalty to his friends, his fearless devotion to every duty, his fidelity to principle, his ability as a champion of the oppressed in every land and in every clime have made his name a household word among the people of America, and as an apostle of freedom forever enshrined him in the hearts of humanity.

Governor Sulzer was removed from office, by the bosses, on October 17, 1913, by two votes. If any two of the Judges, or the Senators, who were disqualified from voting had refrained from voting, Mr. Sulzer would have been acquitted. The verdict of the court was no sooner pronounced than plans were under way for a public demonstration of affection and esteem to the deposed Governor, from the citizens of Albany. A meeting was held the same night at the Ten Eyck Hotel, and arrangements were made for a presentation, on the following night, of a loving cup, which was inscribed as follows.

PRESENTED  
TO  
HON. WILLIAM SULZER  
BY  
CITIZENS OF ALBANY  
IN LOVING REMEMBRANCE OF DUTIES  
WELL PERFORMED  
A MARTYR TO THE CAUSE OF HONEST  
GOVERNMENT  
OCTOBER 18TH, 1913.

Notwithstanding the rain, it is estimated that at the

ceremonies, at the Executive Mansion, in connection with the presentation of this cup, more than 10,000 persons were in attendance.

Hon. Jay W. Forrest, the well-known lawyer, and patriotic citizen of Albany, in a most eloquent address paid a high tribute to Governor Sulzer for his steadfastness in fighting graft and the Bosses, and in the name of the good people of Albany presented the loving cup to the man who had the courage to keep his oath of office and be true to the people.

Governor Sulzer thanked the citizens in a few well chosen words, but this would not do, the air was filled with cries of "speech, speech, we want Sulzer," and in answer to the calls that would not cease Governor Sulzer stepped out on the porch facing the grounds of the mansion. As the tall form appeared in view he was greeted with cheer upon cheer, the down-pouring rain had no effect, the people were there to let him know that the verdict of Murphy's court of Infamy did not represent the feelings of the citizens of Albany. When the governor could make himself heard he spoke as follows:

"My friends, this is a stormy night. It is certainly very good of you to come here to bid Mrs. Sulzer and me goodbye. (A voice: 'You will come back, Bill, next year.')

"You know why we are going away. (A voice: 'Because you were too honest.')

"You know the people elected me the governor—(A voice: 'You bet your life, and we will do it again next year.')—by the largest plurality ever given a candidate for governor in the history of the state. Of course, I appreciated that, and I made up my mind when I took the oath of office I would be true to the people, and show my appreciation of their confidence in me, and what they had done for me, by serving them fearlessly and honestly and faithfully. (Cheers.)

"I just wanted to be the Governor. That was all. I was THE GOVERNOR. I would not be a rubber stamp for Murphy." (Loud cheers.)

"I have been THE GOVERNOR. My conscience is clear, and tells me truly that I have done no wrong; but my whole duty, bravely and honestly, day in and day out, to all the people of the state, as God gave me the light to see the right. (Cheers.)

"A combination of political conspirators removed me because I was after the grafters, and was sending them to prison for robbing the taxpayers. (Cheers.)

"They say they impeached me for taking my own money. (Laughter.) I impeach the criminal conspirators, these looters and grafters, for stealing the taxpayers' money. That is what I never did. (Cheers.)

"It is a long lane that has no turn. My day will come again. From Murphy's High Court of Infamy, I appeal to that higher court—the court of public opinion. (A voice: 'You have got to do it.')

"Let those who have failed take courage;  
 Tho' the enemy seems to have won,  
 Tho' his ranks are strong, if he be in the wrong  
 The battle is not yet done;  
 For, sure as the morning follows  
 The darkest hour of night,  
 No question is ever settled  
 Until it is settled right:" (Cheers.)

"Yes, my friends, I know that the court of public opinion before long will reverse the judgment of Murphy's Court of Infamy. (Cheers.) Posterity will do me justice. Time sets all things right. I shall be patient.

"Out of the night that shelters me  
 Black as a pit, from pole to pole,  
 I thank whatever Fates there be  
 For my unconquerable soul.

In the fell clutch of circumstance  
 I have not winced or cried aloud;  
 Beneath the bludgeonings of chance  
 My head is bloody, but not bowed.

However straight may be the gate,  
How charged with punishment the scroll,  
I am the master of my fate,  
I am the captain of my soul." (Loud cheering.)

"Tammany Hall can take away the office the people gave me, but Tammany Hall cannot take away my manhood; (Cheers) my self-respect; my determination to fight on for the rights of the people, and for honest government, in the future just as I have fought for these things in the past. (Cheers.)

"I thank you one and all from the bottom of my heart, and assure you that I shall never forget your abiding confidence in me, and your unwavering loyalty to our cause, in coming out on this stormy night to say farewell to Governor Sulzer. (Cheers.)

"Let us say farewell to Governor Sulzer, and never forget that he was not the governor long, but while he was in office he was his own master." (Cheers and applause.)

The New York newspapers in commenting upon the demonstration the following Sunday morning, October 19th, 1913, said:

"It was an eye-opener for the machines. It was more like an ovation to a returning war hero." And the Albany Knickerbocker Press on Monday morning, October 20th, said: "The enthusiastic and surprising demonstration of affection accorded Governor Sulzer by thousands of Albany citizens during the rain storm of Saturday night is still being talked of everywhere. All agree that such a popular expression of feeling never before was shown."

On October 20, a committee of the 6th Assembly district in New York City called on Mr. Sulzer to urge his acceptance of a nomination for Member of Assembly from that district. He was elected by a majority of almost three to one over the candidate who received the next highest number of votes. That campaign is now history.

ALEX. S. BACON.



JAY W. FORREST, OF ALBANY N. Y.  
Prominent lawyer and loyal friend of Mr. Sulzer  
during the impeachment trial.

## CHAPTER III.

MR. SULZER'S BRILLIANT RECORD OF ACCOMPLISHMENT IN THE ASSEMBLY OF THE STATE OF NEW YORK FOR 1890, '91, '92, '93 and '94.

The record of Mr. Sulzer, in the Assembly, at Albany, proves that William Sulzer:

1. Was the author of, and wrote on the statute books of the State of New York, the law for the Women's Reformatory.
2. Was the author of, and wrote on the statute books of the State of New York, the Anti-Pinkerton Law.
3. Was the author of, and wrote on the statute books of the State of New York, the law for the State care of the insane—one of the great reformatory measures of recent times, which has been substantially copied by nearly every State in the Union.
4. Was the author of, and wrote on the statute books of the State of New York, the law abolishing sweat shops.
5. Was the author of, and wrote on the statute books of the State of New York, the law for free lectures for workingmen and working women.
6. Was the author of, and wrote on the statute books of the State of New York, the law finally abolishing imprisonment for debt.
7. Was the author of, and wrote on the statute books of the State of New York, the law for the Constitutional Convention.
8. Was the author of, and wrote on the statute books of the State of New York, the law for the Columbian Celebration in New York city.



THE AUTHOR AND THE GOVERNOR ENTERING THE CAPITOL.

9. Was the author of, and wrote on the statute books of the State of New York, the Freedom of Worship Law.
10. Was the author of, and wrote on the statute books of the State of New York, the Ballot Reform Law.
11. Was the author of, and wrote on the statute books of the State of New York, the Corrupt Practices Act.
12. Was the author of, and wrote on the statute books of the State of New York, the law to limit the hours of labor.
13. Was the author of, and wrote on the statute books of the State of New York, the law for the codification of the statutes of the State of New York.
14. Was the author of, and wrote on the statute books of the State of New York, the statutes codifying the quarantine laws.
15. Was the author of, and wrote on the statute books of the State of New York, the law to open Stuyvesant Park to the people.
16. Was the author of, and wrote on the statute books of the State of New York, the law to open to the people on Sunday the Metropolitan Museum of Art.
17. Was the author of, and wrote on the statute books of New York, the law prohibiting net fishing in Jamaica Bay.
18. Was the author of, and wrote on the statute books of the State of New York, the law for the relief of the employees of the Street Cleaning Department.
19. Was the author of, and wrote on the statute books of the State of New York, the law for the Prevailing Rate of Wages.
20. Was the author of, and wrote on the statute books of the State of New York, the law for the State Park and to conserve the Adirondack Forests.
21. Was the author of, and wrote on the statute books of the State of New York, the law for the conservation of the natural resources of the State of New

York and for the protection of the water sheds of the Hudson River.

22. Was the author of, and wrote on the statute books of the State of New York, the law abolishing corporal punishment in the prisons of the State.
23. Was the author of, and wrote on the statute books of the State of New York, the law completing the State Capitol.
24. Was the author of, and wrote on the statute books of the State of New York, the Constitutional Amendment to enlarge the State Canals.
25. Was the author of, and wrote on the statute books of the State of New York, the Weekly Payment Bill.
26. Was the author of, and wrote on the statute books of the State of New York, the Saturday Half-Holiday Law.
27. Was the author of, and wrote on the statute books of the State of New York, the law establishing the epileptic colony.
28. Was the author of, and wrote on the statute books of New York, the law for the Aquarium in New York City.
29. Was the author of, and wrote on the statute books of New York, the law for Bronx and Van Cortlandt Parks.
30. Was the author of, and wrote on the statute books of New York, the law for the Tilden Library.
31. Was the author of, and wrote on the statute books of New York, the law to compel the New York Central Railroad Company to light and ventilate the Fourth Avenue tunnel; and many other progressive measures of far-reaching importance to all the people of the State of New York.

## CHAPTER IV.

## THE CONSTRUCTIVE RECORD OF MR. SULZER'S EIGHTEEN YEARS IN CONGRESS.

The Congressional Record tells the story of Mr. Sulzer's work in Congress for eighteen years.

The Congressional Record proves that Wm. Sulzer

1. Is the author of, and wrote on the statute books, the law for the Bureau of Corporations, through the agency of which the anti-trust laws can be enforced..
2. Is the author of, and wrote on the statute books, the law increasing the pay of the letter carriers of the country.
3. Is the author of, and wrote on the statute books, the resolution of sympathy for the Cuban patriots.
4. Is the author of, and wrote on the statute books, the resolution of sympathy for the heroic Boers in their struggle to maintain their independence.
5. Is the author of, and wrote on the statute books, the resolution of sympathy for the oppressed Jews in Russia, and protesting against their murder by the Russian government.
6. Is the author of the bill to make Lincoln's birthday a legal holiday.
7. Is the author of, and wrote on the statute books, the resolution to abrogate the treaty with Russia because that government refused to recognize Jewish-American passports.
8. Is the author of the pension law for the orphans and widows of the deceased soldiers and sailors who saved the Union.

9. Is the author of the laws to regulate interstate commerce railroads, and the election of U. S. Senators by direct vote of the people.
10. Is the author of the bill for the relief of the victims of the "General Slocum" disaster.
11. Is the author of the bill to restore the American Merchant Marine by preferential duties along the lines of the early navigation laws of the country.
12. Is the author of the bill to construct national good roads.
13. Is the author of, and wrote on the statute books, the law to raise the wreck of the "Maine."
14. Is the author of, and wrote on the statute books, the law to light the Statue of Liberty.
15. Is the author of the Old Soldiers' Law.
16. Is the author of the law to create a "Department of Labor," with a Secretary having a seat in the Cabinet.
17. Is the author of the law to reduce tariff taxes, especially on all goods, wares and merchandise manufactured in this country and sold cheaper abroad than to the people in the United States.
18. Is the author of the law to place on the free list coal, wood pulp, lumber and white print paper.
19. Is the author of, and wrote on the statute books, the resolution to amend the Constitution for a graduated income tax law.
20. Is the author of the law for postal savings banks and a general parcels post.
21. Is the author of the bill for the Department of transportation.
22. Is the author of the pension law for the Volunteer soldiers and sailors who saved the Union.
23. Is the author of, and wrote on the statute books, the new copyright law.
24. Is the author of, and wrote on the statute books, the

resolution congratulating the people of China on the establishment of a republic.

25. Is the author of the bill to improve the Foreign Service, and acquire embassies abroad.
26. Is the author of the law to prevent any ship sailing from ports of the United States unless equipped with every device for saving life; and many other useful measures in the interests of all the people of the country.

## CHAPTER V.

## CONGRESSMAN WILLIAM SULZER'S REMARKABLE RECORD.

(*Editorial from the "New York Critic," Oct. 15, 1912.*)

Mr. Sulzer has been in public office continuously for a quarter of a century—five years as an Assemblyman and eighteen years as a Congressman. He has never been defeated, although he lives in a district that is Republican. Indeed, it is one of the most cosmopolitan districts in the whole country, and although it contains many nationalities, has been gerrymandered against him, and has an ever-changing population, he has always been elected, even when the tidal wave was Republican.

The secret of his great popularity is found in the fact that he is a man of the people, is absolutely honest, is true to his friends and never breaks his word; and it is not to be wondered at that he simply OWNS a district that no other Democrat can carry. If the people of the country knew him as well they would admire him as devotedly as his constituents do.

The one remarkable fact in his career is that he never seems to have made a political mistake, and this is accounted for by the fact that he always puts principle before expediency and fidelity to his friends above temporary advantage. The Critic has collated the following from the official records:

First: Mr. Sulzer was elected on an independent ticket to the Assembly in 1889 by the people to protest against the giving away of the Broadway railroad franchise. He won by 800 or 900 plurality.

Second: He was re-elected in 1890, '91, '92 and '93 in succession to the Assembly by increased majorities. He was the Speaker in 1893 by the unanimous vote of his Democratic colleagues, notwithstanding the State machine was opposed to him. He was the leader of the majority in 1892 and the leader of the minority in 1894. His record in the State Legislature was always in the interest of good government and the people, and HAS NEVER BEEN ADVERSELY CRITICISED.

Third: He ran for Congress in the old Tenth Congressional District in 1894. The district had always been Republican, parts of it were intense Republican strongholds, dominated by such men as John J. O'Brien, Ferdinand Eidman, William J. Murray, John E. Brodsky, Michael Collins and other Republican leaders. In 1894 the Republicans swept the country. The Democrats carried only five Congressional districts north of Mason and Dixon's line, of which three were in the city of New York. Congressmen like General Sickles and Amos J. Cummings were defeated in Democratic strongholds. Hill running for Governor lost Sulzer's Congressional district by over 11,000. Sulzer carried it by over 800 and was the only Democrat elected.

Fourth: Mr. Sulzer stood by Bryan in the fight of 1896. He was again a candidate and was elected by three times the majority he received two years before. Bryan lost the district by over 17,000. Sulzer again was the only Democrat elected.

Fifth: In 1898 Sulzer carried the district by over 8,000, notwithstanding there was a concerted movement by Mr. Hanna and other Republican leaders to defeat

him, and money was poured into the district to the extent of thousands and thousands of dollars.

Sixth: In 1900 McKinley carried the district by over 11,000. Sulzer carried it by over 5,000. In 1902 Sulzer carried the district by over 9,000. The district went Republican for Governor.

Seventh: Then the district was changed under the new apportionment and made stronger Republican. In 1904 Parker lost the district by over 7,000 and Sulzer carried it by over 4,000.

Eighth: In 1906 Sulzer carried the district by over 11,000, receiving OVER SEVENTY-FIVE PER CENT. OF THE ENTIRE VOTE CAST IN THE DISTRICT.

Ninth: In 1908 Bryan lost the district by over 8,000 and Sulzer carried it by about 5,000.

The returns of the votes show that Mr. Sulzer has represented a Republican district practically ever since he went to Congress, and has always run thousands of votes ahead of his ticket. If he had run for Governor on several of these occasions when he ran for Congress and had polled on an average the same majorities in every district throughout the State, he would have carried the State in 1898, 1902, 1906, and in 1910.

Mr. Sulzer was renominated for the tenth time for Congress when the standard for Governor was placed in his hands by the Democrats in the Syracuse Convention.

Mr. Sulzer has never mixed in local politics. He has never received a receivership, or a refereeship, or any other consideration from Tammany. He has kept his skirts clean and has been in State politics when a member of the Legislature and in National politics as a member of Congress. He is a man who thinks for himself and has always done what he believed was right according to his light. When the Tammany orders came to

vote for "Cannonism," Mr. Sulzer was the only Democrat from the City of New York who voted against "Cannonism."

A man with such a remarkable record in this age of shifty politicians would make a safe and sane executive. As a candidate he is ideal. Progressives can support him conscientiously.

## CHAPTER VI.

## SULZER'S RECORD AS A MEMBER OF CONGRESS.

(*From the New York World, Monday, March 4, 1912.*)

## SOME OF THE IMPORTANT THINGS HE HAS DONE FOR THE COUNTRY—HALTS MEXICAN WAR—AND BLUFFS RUSSIA.

*At a recent reception in Washington a diplomat asked Mr. Sulzer if he was in favor of "Dollar diplomacy." "I am in favor of direct diplomacy," promptly replied the New York Congressman. "What do you mean by direct diplomacy?" he was asked.*

*"Telling the truth," he said. "Say what you mean, and mean what you say, and be polite about it."*

[*Special to the World.*]

WASHINGTON, March 3, 1912.—Representative William Sulzer of New York knows nothing about politics. Such at least is the firm belief of a majority alike of his friends and his enemies. Still the fact remains that the Democratic Chairman of the House Committee on Foreign Affairs is now completing his ninth consecutive term in the House of Representatives, and that for eighteen years he has carried a staunch Republican district in New York City.

All the efforts of Tammany Hall, of the Republican organization, of Wall Street and its allies, have failed to pry him loose from his seat. Tammany never liked

Sulzer, but twice he has come within an ace of forcing Tammany to accept him as Democratic candidate for Governor, and to-day he is stronger than he ever was.

When asked how he does it, Plain Bill thrusts his quid a little further into his cheek, affects an enigmatic smile that would make Wu Ting-fang himself envious and says, "The people understand me, I understand the people, and we trust each other."

Students of history will recall that Thomas Jefferson and Abraham Lincoln ascribed their political fortunes much to the same reason. But any one who would have taken up either of those distinguished gentlemen for a fool in politics would have found himself left. So, too, would any one who tried the experiment with Congressman Sulzer. He is one of the only three Congressmen on the Democratic side of the house who received any real political advancement when his party gained control in 1910.

The other two were Champ Clark and Oscar Underwood. Mr. Clark was made Speaker, Mr. Underwood became chairman of the Ways and Means Committee, and William Sulzer was placed at the head of the important Committee on Foreign Affairs.

#### THREE GREAT ACHIEVEMENTS BY SULZER.

All three have distinguished themselves, but to Chairman Sulzer belongs the credit of the greatest achievements. He prevented the throwing of American troops into Mexico; he secured the abrogation of the Russian treaty on the Jewish passport question, and he enacted the law for the Department of Labor.

All three stories are worth the telling. Last summer when Ambassador Wilson told President Taft that "the whole of Mexico was seething with political discontent and Diaz was seated on a volcano, the eruption of which might endanger the safety of 40,000 Americans, men,

women and children, living in Mexico," President Taft concentrated an army along the Rio Grande.

Immediately every conceivable pressure was brought to bear upon the President to induce him to send American troops across the border, ostensibly to protect American interests, but in reality to uphold the tottering régime of Diaz. The President would have yielded if the consent of the House had been obtained to this suggestion.

The Senate was ready to accede to the desire of the Rockefellers, the Guggenheims, the Rothschilds and other financial interests. Some little opposition was expected from the Democratic House, but this every one believed would easily be overcome. They did not know Sulzer then, they have learned to know him since. Sulzer believed then as he does now that the United States should keep out of Mexico and allow the Mexicans to settle their own affairs in their own way. It was certain the House would not consent to an invasion of Mexico, even on pretext of protecting American lives and property, in the face of an adverse opinion of the Committee on Foreign Affairs.

Pressure, pressure of the most powerful kind, which few men would have been able and fewer still have dared to withstand, was brought to bear upon the plain hard-working chairman. The thousand millions of American investments shrieked their loudest, but Sulzer stood firm. He was summoned to the White House. The messages of Ambassador Wilson, the secret reports of American agents and American army officers were laid before him, the necessity for upholding the Diaz régime and all it meant to the vast financial interests was pointed out, he was argued with, cajoled and threatened, but he told President Taft and the Republican Senators that in his opinion Mexico was a friendly sister republic, and that she should be treated as such by the Government of the United States.

## THE BOSS, OR

Sulzer added that American honor was more sacred than American dollars, and that the policy of this country should be to live up to its treaty obligations, enforce the neutrality laws, and allow the people of Mexico to settle their differences without the intervention of the United States or any other Government.

As President Taft had given assurances to the representatives of all Latin-American republics in Washington that the United States would not intervene except by and with the advice and consent of Congress, it was impossible in the face of Mr. Sulzer's opposition to do more than patrol the border.

As a result of the non-intervention of the United States, Mexico overthrew Diaz, and Madero, the leader of the revolutionary forces, became President.

Financial interests suffering severely from so long a period of political unrest have again brought every conceivable pressure to bear upon Mr. Taft to send American forces into Mexico to restore order and establish a stable Government that could afford the protection so badly needed.

But Chairman Sulzer held the key of the position. He was summoned to the White House, the situation was laid before him, again he stood firm. If this country to-day is not at war with Mexico it owes it more to Congressman Sulzer than to any other man. Mr. Sulzer pointed out that Mexico is rich and can be held financially responsible for any damage done to American property; that a war of conquest would be an international crime; that Latin-America would unite in protest if this great republic ruthlessly invaded the territory of a friendly sister nation. He refused to assent to the crossing of the Mexican border line by a single American soldier. He said that if one man went over the whole Mexican people, irrespective of their political differences, would join to repel the invader and that the outcome would inevitably be a war that could only end by the con-

## THE GOVERNOR

quest of every inch of Mexican territory. So much for the Mexican story.

### ANOTHER TRIUMPH IN THE RUSSIAN PASSPORT AFFAIR.

The Russian passport question afforded Mr. Sulzer another signal triumph. It has been a thorn in the side of the State Department for forty years. American citizens bearing American passports were refused access to a country which had bound itself by the sacred ties of a solemn treaty to give free access to citizens of the United States, but which refused to admit Jews within its borders. Here was a friendly nation arrogating to itself the right to discriminate between American citizens and to discriminate on account of race and religion. Yet nothing had been done, and it almost seemed as though nothing ever would be done until Mr. Sulzer became Chairman of the House Committee on Foreign Affairs. He took up the question. He cut the Gordian knot by introducing a resolution to abrogate the Russian treaty of 1832, and he made that resolution express the fundamental rights of American citizens at home and abroad. In urging its passage he told the House:

I stand . . . for equal rights to all and special privileges to none—for the dignity of American citizenship here and everywhere."

Mr. Sulzer won a notable victory in passing his resolution through the House by the overwhelming vote of 300 to 1, and this forced the President to give to Russia the notice of abrogation directed to be given by the resolution.

The Sulzer resolution as passed by the House will stand for all time as a landmark in the legislative history of the country regarding the rights of American citizens.

"Work tells," is Sulzer's motto.

## CHAPTER VII.

### SULZER THE UNSPOILED PUBLIC SERVANT.

(*W. A. Lewis, in the "News," April 22, 1912.*)

#### A PEN PICTURE OF THE CONGRESSMAN SULZER MADE AT CLOSE RANGE.

Wm. Sulzer is at his best in a chair-to-chair talk. This isn't true of many men, because the average individual cannot stand the intimate scrutiny that discloses personal blemishes quite as readily as it reveals deficiencies of mind. Most men in public or in private life wear best and wear longest when seen at long range; and a goodly portion of our public men made their reputations judged from afar, seen on the rostrum, read in their speeches, captured by the camera.

Sulzer has opinions. He has them on all subjects on which a public man ought to have them. You do not have to drag them out of him, nor does he load you up with them faster than you can digest them. He evidently believes heartily in what is known as "good fellowship." And by good fellowship I mean the warm communion of men in mental pursuits; not in the insane sense of shoulder-slapping and front name calling, but in the unaffectedness that betokens sincerity, in the cordiality that portrays amiability, in the low-voiced manner that indicates intention to sometimes do some listening to what the other fellow has to say.

Sulzer—if you don't happen to know him by sight—is not a classically beautiful man, because his features are broken up into those rugged juts of force, those abrupt bubbles of intensity, which tend to spoil the smooth, even, waxen symmetry known as "regular features." Sulzer is

a man, however, you'd believe and trust from the jump. You'd not doubt what he told you, and if he told you he'd do a thing you wouldn't give 5 cents to have it guaranteed. You wouldn't need to. Sulzer inclines to the sandy or auburn complexion; his head is large; browful, his eyes big and full of seeing power; he looks at you when he talks and he talks at you, too. Sulzer doesn't pose; is free and off-hand, frank and to the point; he is in Washington to sit in Congress; he sits in Congress to represent his New York district, and he represents it with brains, intrepidity, squareness and fidelity.

It isn't my duty to give Sulzer advice, but for a public man he is unusually approachable. Of course that's the temper and mould of the man, and it has recommendations in it, but it has disadvantages as well. And when I hear Sulzer criticised I realize that it all arises from his super-candor, frankness, almost self-sacrificing readiness to do and be for others. In some respects this isn't always good policy. It makes people misunderstand you. It gives you a reputation for being superficial. It tends to lighten your public weight, whereas it ought to work just the other way.

But I didn't call on Sulzer to interview him, ask for his picture, and much to his credit, didn't see any pictures of him anywhere about.

I do not consider Sulzer an interviewable sort of man. That is to say, his views and opinions need the telling of them quite as much as they need be told. I know Sulzer has a reputation as a speechmaker; that he is in demand in elections; that he has a fame as a public talker. I never heard him make an address, so can't express a personal opinion. But he can't talk on his feet any more naturally, consistently and entertainingly than he can at his ease in a chair, in a quiet room, uninterrupted, unguided by any interviewing influences, knowing he is not talking for publication, than when he is talking on his favorite topic.

## THE GOVERNOR

Although Sulzer had some huge thinking task on his desk when I went in, he entered into the zest of our little chat with that luxurious indulgence of his mind in the pastime of a bit of relaxation offered by my visit. Maybe he cussed me under his breath for coming. Maybe my coming was at an inopportune time. But he didn't show it. He was gracious, cordial, clever, plain as an old shoe, as they put it, and the clock struck midnight before I knew it.

So I would intimate to you if you live in Sulzer's district, if you are one of his constituents (and if you are not, for that matter, the lesson is just as pat in any event), that as Congressmen go, as public men go, as official life goes, Sulzer is one of rare industry, application, approachableness, sincerity, sturdy character, conscientiousness. I found him at home! That meant a good deal to me. I found him at work! That meant more. If you knew the public life pace in Washington, you'd appreciate this maybe more than you will.

Washington has—and always has had—its coterie of sporty Congressmen. They can't all be like Daniel Webster, you know, who drank brandy and played cards all night with Henry Clay before he made his great reply to Hayne. And Webster never saw the day he worked as hard for his constituency as Sulzer works for his. I'm not making comparisons between Webster and Sulzer. I'm merely recording in Sulzer's favor certain personal peculiarities that are all right, that his New York friends may well be proud of, and which do the law-making work in the Capitol essential good.

Sulzer and I didn't talk politics in any personal sense, so what he looks forward to I haven't the remotest idea. I was asked by a friend of his to try and meet him some time. "Some time" was that very quiet evening, unannounced, unprepared. I enjoyed it. Did Sulzer? Well, I know not.

W. A. LEWIS.

## CHAPTER VIII.

(*From the leading Editorial in The New York Call, Monday, October 29, 1913*).

### THE TRUTH ABOUT WILLIAM SULZER

William Sulzer, removed from the office of Governor, returns to private life, and the kept newspapers that from the beginning have helped in all ways to drag him down tell us that he is disgraced.

I do not see how.

Admit all you please about acts of Sulzer, and still to the impartial mind capable of independent judgment these pivotal facts will remain:

1. He was impeached for acts committed when he was not Governor.
2. The things charged against him, however silly, were not things that deserved impeachment.
3. He was plainly the victim of Murphy and Tammany Hall and the Invisible Government which he had offended. Mr. Ryan sent his own son to testify against him and to go out of the normal way of a witness to say bitter and injurious things against the man whose political death had been decreed.
4. The New York newspapers, whose controlling influence is now no secret to any man that cares to inquire about it, treated him with deliberate unfairness and plainly strove in every way to create prejudice against him.
5. There is not one politician in public life against whom charges cannot be brought similar to those that were used to wreck Governor Sulzer. The consequence, then, is as plain as day. From this time forth men in

public office will understand that at any revolt against the Powers that be, Sulzer's fate may be theirs.

The total effect is to strengthen beyond any possible precedent the malign influences that concentrated wealth exerts over our affairs.

The whole inside of this case is unmistakable to anyone accustomed to more than surface observation.

Sulzer was a politician and played the politician's usual game in the usual way. But at the same time he had always a sincere sympathy with the people and a sincere desire to serve them.

I know that, because I saw much of his work in Washington. I hardly need to say that about some things we disagreed. But it at least was true that throughout all his Washington service no man ever went to him with any proposal on the side of the people against privilege without finding a sympathetic listener, nor without getting all the help that this man, within the limitations of his position, could possibly afford.

So far as he could see his way, he was with the working class, and not for political advantage, but from his natural sympathies.

Every other unbiased observer in Washington knew that as well as I, and will say so.

Very likely he had more heart than head. I don't know. But I do know that the fault is so unusual among public men that to my mind it amounts to a virtue.

Nobody ever alleged it against Mr. Ryan or Mr. Murphy.

To many a good cause he gave his support ungrudgingly, and without a chance of any return. He had a capacity for genuine feeling about injustice. Long before he began his successful campaign against the Russian treaty, he told me privately his convictions about Russia gathered from his own readings and observations. He took up the cause of the underpaid women teachers

## THE GOVERNOR

of New York when to do so could mean no possible advantage to him. He stood out long ago for woman suffrage, when to advocate it insured only an avalanche of ridicule.

Sulzer gathered some idea of the flock of cormorants that for years and years have settled upon State contracts, State institutions and State work. He started to drive them from their roosts and aroused their fierce and undying hatred. Back of these creatures and their preying were some of the most powerful Interests in the State. In revenge they determined to achieve his political ruin.

At the same time he revolted against Wall Street and the Invisible Government. Then the supreme power in our affairs sentenced him to extinction and set its retainers to work to that end.

Some of the newspapers pretend to be astonished that in the midst of his misfortunes he seems to be uncrushed and retains a cheerful and unruffled demeanor.

Why should he not?

It may be painful to be sacrificed to the Controlling Interest, but it is no disgrace. William Sulzer is not the first man they have pulled down, and will not be the last.

The mark of their disapproval is no sign of disgrace; it is a badge of honor.

Knowing what I know about them and their ways and their purposes, the fact that they have slaughtered this man atones for many errors.

No man can possibly be disgraced or unworthy of respect if he has managed to earn their enmity.

And finally, any man that knows things as they are in New York State and New York City would rather be William Sulzer, thrown out of office by the Gas House Gang, Wall Street, and the Dirty System than spend one hour in the Governor's chair as the valet of Boss Murphy and lackey of Thomas Fortune Ryan.

CHARLES EDWARD RUSSELL.

## CHAPTER IX.

## THE TRUTH ABOUT THE TRIAL OF GOVERNOR WM. SULZER

HIS WORK FOR HONEST GOVERNMENT DISCUSSED BY ALBERT SHAW IN THE REVIEW OF REVIEWS

*The Prospect for Good Government in the Metropolis and in the State is Better on Account of Sulzer's Struggle Than It Has Been at Any Time for Half a Century—Impeachment Called "An Attack of Desperate Scoundrels."*

A faithful reflection of the public opinion of the State in regard to Governor Sulzer and his impeachment is found in the December number of the Review of Reviews. This magazine, edited by Albert Shaw, presents every month an intelligent, non-partisan, and impartial review of recent history-making events which commends itself to discriminating readers who appreciate how the powers of invisible government misinterpret and distort current news in the columns of many of the daily newspapers of the great cities.

## SULZER'S "DOWNFALL" AND UPRISING

The Review of Reviews says:

"The election of William Sulzer to the legislature is not merely sensational; it is a political affair of large importance. Mr. Sulzer as Governor has rendered the State of New York an almost superlative service. The prospect for good government in the metropolis and in

the State is better than it has been at any time for half a century—and this result is due to Sulzer more than to any other man. He had a chance, as Governor, to make a nominally good record for himself, and yet to avoid all serious trouble. Tammany would have allowed him to accomplish many things that could have borne the reform label. All that Tammany asked of him was not to investigate certain situations too sharply, and to consult Mr. Murphy about a few appointments. In spite of all kinds of threats of exposure that would disgrace him and break him down, Sulzer persisted in using men like Hennessy and Blake to investigate corruption and mismanagement in the affairs of the State. Sulzer demanded that the Tammany Senate expel Stilwell for being concerned with legislative bribery. Upon Tammany orders, the Senate whitewashed Stilwell; whereupon Sulzer caused his indictment, and Stilwell was sent to the penitentiary.

#### THE IMPEACHMENT AND ITS RESULTS.

"If Sulzer had not called the extra session, in his effort to secure direct-primary legislation, Tammany could not have got at him with its impeachment charges. The impeachment trial, brought in an extra session, was as plainly contrary to the constitution as explicit language could make it. It was equally plain that the Sulzer impeachment was an attack of desperate scoundrels upon an honest man. Nothing was brought out in the Sulzer trial that was even distantly related to those offences for which Governors can be properly impeached. It is not even now clear that Sulzer made an incorrect report of his campaign expenses. The object of the law is to prevent men from spending money lavishly in improper ways, and to see that what is spent is duly reported. Sulzer reported whatever was spent.

"Judge Cullen, who presided over the impeachment

WILLIAM SULZER.



From the Albany Knickerbocker Press.  
**THE CONSTITUTIONAL GOVERNOR.**

court, held that Sulzer had done nothing for which he could be impeached. The scoundrels who were mixed up in the orgy of canal and road-building graft were so shortsighted as to suppose that if they broke down Sulzer they would discredit Sulzer's accusations against them. But this was the very opposite of what happened. Their impeachment of Sulzer focused the attention of the whole world upon their own iniquities. It aroused the entire State of New York to a sense of public danger and public duty. The important thing was the work of cleaning out the grafters that Mr. Sulzer had set himself to perform.

"Even before Mr. Sulzer and Mr. Hennessy had finished their speeches in the last ten days of the campaign the latter was giving testimony before Chief Magistrate McAdoo, of New York City, in an inquiry which had been set on foot by Mr. Whitman. The District-Attorney, as our readers are aware, had shown himself to be a good investigator in his exposure of the corrupt element in the New York police force that was in alliance with politicians, gamblers and criminals for mercenary ends. Information began to pour in on Mr. Whitman from all parts of the State, and there was good reason to believe that the work to which Governor Sulzer had addressed himself last winter would go forward.

#### MR. GLYNN AND HIS ATTITUDE AS GOVERNOR.

"The removal of Governor Sulzer had elevated Lieutenant-Governor Glynn to the vacant seat which, under the law of New York, he will hold until the end of 1914. It became necessary for Glynn to decide quite definitely whether he would put himself on the side of the determined reformers, or consult the Tammany elements that had been so anxious to put him in the Governor's chair.

"The fight against graft must go very deep before

it touches bottom; and it is likely enough to implicate some of Glynn's political friends. It takes stern character to do one's full duty in high office under such circumstances. Mr. Glynn has lived a long time in Albany, and nobody should know better than he how rotten the State government has been. Many things of which he must have had some knowledge ought to have troubled his conscience in the past—perhaps a little more than it has seemed to show disquietude. A man who takes the office of Governor from any motive short of rendering the State the finest and highest possible service of which he is capable can hardly avoid going out of office with the record of a Dix. It is for Mr. Glynn to remember that even Sulzer—thrown out of his office in supposed disgrace at the hands of the Bosses will unquestionably go down to history along with Tilden, Roosevelt and Hughes, as one of the great reform Governors of the State of New York, whose courage in defying the corrupt combination of crooked politics and crooked business led to great progress in the long-suffering but noble cause of good government.

"There was some talk of bringing Mr. Sulzer forward as a candidate for Speaker of the new Assembly, to which he was elected by an overwhelming majority. But the Speakership will presumably go to a Republican. Mr. Sulzer's leading position, however, in the fight for reform in the State government, and his long experience as a legislator at Washington will make him the most conspicuous personality in either branch of the legislature. His need now is to lay aside his personal ambitions, while throwing himself unselfishly into the most important work it has ever fallen to his lot to perform on behalf of his fellow citizens.

#### SULZER CAUSED THE LANDSLIDE.

"The great size of Mr. Mitchel's plurality was not

due to the positive and intelligent desire of the people of New York to have a thoroughly good municipal government. The Fusion ticket ought, indeed, to have won on its merits under normal conditions, and it had a fighting chance to win. But it happened that Tammany's fight against Governor Sulzer, and its success in securing his impeachment had resulted in sensational exposure of the real reasons that had impelled Murphy and the Tammany ring. It was shown clearly that Sulzer had been impeached, not for his faults, but for his virtues. He had started out as Governor to expose the mismanagement of State departments and the robbery of the State by politicians and contractors in the expenditure of two or three hundred million dollars upon State canals, highways, prisons and so on. A part of the work of investigation for Governor Sulzer had been performed by Mr. John A. Hennessy. Mr. Sulzer and Mr. Hennessy took the platform during the municipal campaign and gave to New York a series of speeches of definite accusations, and an irresistible quality of carrying conviction. Governor Sulzer, meanwhile, had been promptly named for the legislature as a Progressive in the old Sixth Assembly District, and his meetings were attended by countless thousands of sympathetic citizens who arose in passionate determination to vindicate an honest Governor against his corrupt and infamous opponents.

## CHAPTER X.

MR. SULZER'S SPEECH OF ACCEPTANCE AS  
THE DEMOCRATIC CANDIDATE FOR  
GOVERNOR.

*Delivered in the National Democratic Club of New York City on the occasion of his Notification Thursday night, October 10, 1912.*

Mr. Sulzer spoke as follows:

Gentlemen—The nomination for Governor by the Democrats of New York is an honor deeply appreciated, and the responsibilities entailed are fully realized. I thank the delegates to the Syracuse convention, and through them all the Democrats of the Empire State, whom they represented in that memorable gathering. With gratitude to all I accept the nomination—and gratitude with me is the fairest flower that sheds its perfume in the human heart.

It is gratifying to me to know that my nomination for Governor comes from a free and an unfettered convention of independent delegates, elected according to law by the people, and that it has united and harmonized the Democratic party from one end of the State to the other.

We are all together now, fighting for great fundamental principles—in the interests of all the people. With our faces to the rising sun of Democratic opportunity, under the leadership of our national standard-bearer, the gifted Governor of New Jersey, Woodrow Wilson, we are marching on to triumphant victory.

## PLATFORM MEETS APPROVAL.

The progressive platform, ably written and unanimously adopted by the delegates to the Syracuse convention, has been carefully studied and meets with my sincere approval. If I am elected Governor I shall do everything in my power to faithfully carry out every promise made by my party in that enunciation.

An ounce of performance is worth a ton of promise. In the future, as in the past, I shall promise little, but try to the best of my ability to perform much, and I submit as a surety of this my record at Albany and in Washington as the best guarantee for the sincerity of my words.

To me Democracy is a part of my existence. I use the term in its best and its broadest sense. I am a Democrat through and through, a progressive Democrat, and Jeffersonian Democrat, if you will. I believe that through the agency of organization and systematic effort the greatest good for the greatest number can best be accomplished. In union there is strength, and if I am elected Governor I want to rely on the aid and the counsel of all good citizens and a united party to accomplish the reforms now demanded by the people.

It is, of course, impossible for me in this speech of acceptance, which I desire to make as brief as possible, to go into details regarding many matters of public moment and discuss them as fully as I should like to do. During the campaign, however, I shall no doubt speak to the people on many matters of interest which time now prevents. I want to take the people into my confidence, as I want them to take me into their confidence. I trust the people and they trust me. We understand each other, and we must work together for the general welfare.

## PLEDGES TO THE PEOPLE.

If elected Governor I shall to the best of my ability endeavor to give the people of the State an honest, an economical and a business-like administration of public affairs. I say business-like advisedly, because I assure the business men in every part of our State that they can rely on me at all times, to do my utmost to promote the business and the commercial interests of our commonwealth. I realize how important they are, and shall ever be exceedingly careful to take no step to jeopardize the financial and the commercial supremacy of the first State in the Union.

Suffice it to say that I am a friend of every honest business, whether big or little, and will always have its welfare in view in the administration of State affairs. To this end I shall work unceasingly for quicker and better transportation agencies, and for improved and larger terminal facilities, in order that New York shall continue to receive her just share of the trade and commerce of our country.

## IS A FRIEND OF THE NAVY.

I am now, and always have been, a friend of the Navy, and I believe in the restoration of the supremacy of the Flag of the United States upon the merchant shipping of the world and the proper protection to owners and users of vessels built in this country, and shall continue to urge speedy action in favor of the establishment and maintenance of an American Merchant Marine.

Ever before us must be kept the needs of agriculture. I grew to manhood on a farm. I know farm life, and my sympathy is with the toilers. What the farmer produces is real wealth. To-day, when consumption has caught up with production, it behooves us to give attention and every kind of encouragement to the land. Those

of the cities who would return to farms must be encouraged, and those of the farms must be aided to greater effort and larger profit.

To this end legislation that will secure greater production should be promoted. Let our people be provided with constructive legislation that will enable farmers to co-operate among themselves, so that farmers and city people can have the closest possible intercourse, and the products of the farm may be moved to the kitchens of customers with the least possible friction, at the smallest expense, and in the shortest time. We should help our farmers to secure the advantages of long loans at reasonable interest rates. The parcels post legislation just started should be further extended so as to include an express post in order to make still freer the exchange between country and city.

#### AID FOR THE FARMERS.

Agricultural education, now in its infancy, must be fostered until agriculture is taught not only in a few colleges in the State, but in every high school in our commonwealth. Our game laws should be strengthened to prevent thoughtless hunters from trespassing on farms during the game season unless freedom to hunt has been granted. Each year thousands of complaints are heard about the abuse of hunters who trespass and shoot game without permission of the owners, and often much damage is done to poultry and other farm stock.

The farmer's interest must be promoted in the matter of good roads. The State fair must be made an agricultural, an educational, and an industrial exposition and State institution commissioned by men in sympathy with its interests and capable of directing this great enterprise in all its channels. The State Agricultural Society, which has become such a splendid clearing house

of agricultural thought, direction and publicity, should be encouraged to greater activity.

Our Department of Agriculture, one of the most useful administrative branches of the State government, must never be allowed to become partisan in character, but held strictly to the line of agricultural promotion. If I am the Governor I desire to say that whatever is within my power I shall do to sustain, to promote and to up-build the agricultural resources of the Empire State. I will work heartily with representatives, as well as the rank and file of farmers, to make the next two years the most prosperous that this State has ever known. When the farmer is prosperous the State will flourish.

#### GOOD ROADS AND WATERWAYS.

Good roads, the continued conservation of human life, of our natural resources and the constant improvement of our waterways appeal to me now as they have in the past, and will have my earnest support and constant attention.

We know that good roads, like good streets, make habitation along them most desirable; they enhance the value of farm lands, facilitate transportation, and add untold wealth to the producers and consumers of the country; they are milestones marking the advance of civilization; they economize time, give labor a lift, and make millions in money; they save wear and tear and worry and waste; they beautify the country—bring it in touch with the city; they aid the social and religious and educational and the industrial progress of the people; they make better homes and happier firesides, they are the avenues of trade, the highways of commerce, the mail routes of information, and the agencies of speedy communication; they mean the economical transportation of marketable products—the maximum burden at the minimum cost; they are the ligaments that bind the country

together in thrift and industry and intelligence and patriotism; they promote social intercourse, prevent intellectual stagnation, and increase the happiness and prosperity of our producing masses; they contribute to the glory of the city and the country, give employment to our idle workmen, distribute the necessities of life—the products of the fields and the forests and the factories—encourage energy and husbandry, inculcate love for our scenic wonders, and make mankind better and broader and greater and happier.

#### THE TRUTHS OF HISTORY.

The plain people are familiar with the truths of history. They know the past. They realize that often the difference between good roads and bad roads is the difference between profit and loss. Good roads have a money value far beyond the ordinary conception. Bad roads constitute our greatest drawback to internal development and material progress. Good roads mean prosperous farmers; bad roads mean abandoned farms, sparsely settled country districts, and congested populated cities, where the poor are destined to become poorer.

Good roads mean more cultivated farms and cheaper food products for the toilers in the cities; bad roads mean poor transportation, lack of communication, high prices for the necessities of life, the loss of untold millions of wealth, and idle workmen seeking employment. Good roads will help those who cultivate the soil and feed the multitudes, and whatever aids the farmers will increase our wealth and benefit all the people. We cannot destroy our farms without final decay.

As a Democrat imbued with the principles of Jefferson I believe in justice to all. I am opposed to special privilege. If I am anything I am an individualist, and I believe in keeping the door of opportunity open for

every man in all this broad land. That is my democracy, and it is true Democracy, and I use the word "democracy" not in its political but in its generic sense.

#### BELIEVES IN FAIR PLAY.

There is nothing narrow-minded about my view of political questions. I believe in fair play to all. I am opposed to anything that will estrange employer and employee or cause a breach between capital and labor, and I am a friend of both. I want to give each an equal chance.

I believe I voice the sentiments of the working people when I say that all labor wants is a fair show, an equal chance and a square deal. Labor is indefatigable and unselfish. It does not ask for more than its rights. We hear much about equality before the law. That is all the workingmen want. They seek no special privilege and they want none.

Labor makes no war on vested rights. It does not rail at honestly acquired wealth. It is not antagonistic to legitimate capital. It would close no door of opportunity. It would darken no star of hope. It strikes no blow to paralyze ambition. It stands for equality before the law and for concord and peace.

My record of hard work for nearly a quarter of a century in the vineyard of the people proves, if it proves anything, that no man in all our land stands more squarely than I do for Justice, for home rule, and for the reserved rights of the State. I believe in the dignity and the rights of American citizenship, native and naturalized—at home and abroad—and I commend the patriotism of the Democratic members of the House of Representatives, which compelled the termination of the Russian treaty of 1832, and pledge myself to do all in my power in the future to preserve the sacred rights of American citizenship; and I declare

that no treaty should ever receive the sanction of our government which does not affirmatively recognize the unquestionable equality of all of our citizens, irrespective of their religious beliefs, or of the race or nationality of their origin, and which does not expressly guarantee the fundamental right of expatriation.

#### PROUD OF BEING "COMMONER"

Our platform is explicit regarding the civil service. I am a firm believer in the merit system. The pages of the Congressional Record sustain me in this connection against adverse criticism. How I voted and what I have done are known. I appeal to that record for my justification, and affirm that if I am elected there will be no step backward in civil service reform, and the efficiency of the merit system will be promoted.

They say I am a commoner. I am proud of that. I come from a farm and from humble surroundings. All that I am and all that I hope to be I owe to a good mother and an honest father. I have toiled up step by step from the bottom, from poverty and obscurity, and my career illustrates again the hope of the Republic, and demonstrates anew that the door of opportunity is still open to the humblest boy in all our land.

The plain people know me, and they know what I have done. They know I can be trusted. They have seldom been deceived by one of their own.

It is said I am a simple man—of little vanity and less prejudice. That is true. The only prejudice I have is against intrenched wrongs, to remedy which I have struggled all my life. If I go to Albany I shall try to follow in the footsteps of Silas Wright in the honesty and simplicity of a Democratic administration, and I shall endeavor to emulate the example of Samuel J. Tilden for progressive reforms along constructive and constitutional lines.

## KNOWS NEW YORK'S NEEDS.

My nomination for Governor came to me because for long years I worked for my party, and through my own exertions I earned the good will of the Democrats of my State by deeds done and works accomplished. I am no novice. I know the needs of New York. I am the candidate of a united party and an unshackled convention. I went to the convention, not as a candidate, but to fight for a principle—the principle of an open convention, a fair field, and no favor.

I will go into office, if elected, without a promise except my promise to all the people to serve them faithfully to the best of my ability. I am free, without entanglements, and shall remain free. If elected I will be the Governor of the people and the Executive Office will be in the Capitol. When I take the oath of Governor, I shall enforce the laws fearlessly and honestly and impartially—with malice toward none. William Sulzer never had a boss, and his only master is himself.

Those who know me best know that I stand firmly for certain fundamental principles—for personal liberty; for civil and religious freedom; for constitutional government; for equality before the law; for equal rights to all and special privileges to none; and for unshackled opportunity as the beacon light of individual hope and the best guarantee for the perpetuity of our free institutions.

## HE IS AN OPTIMIST.

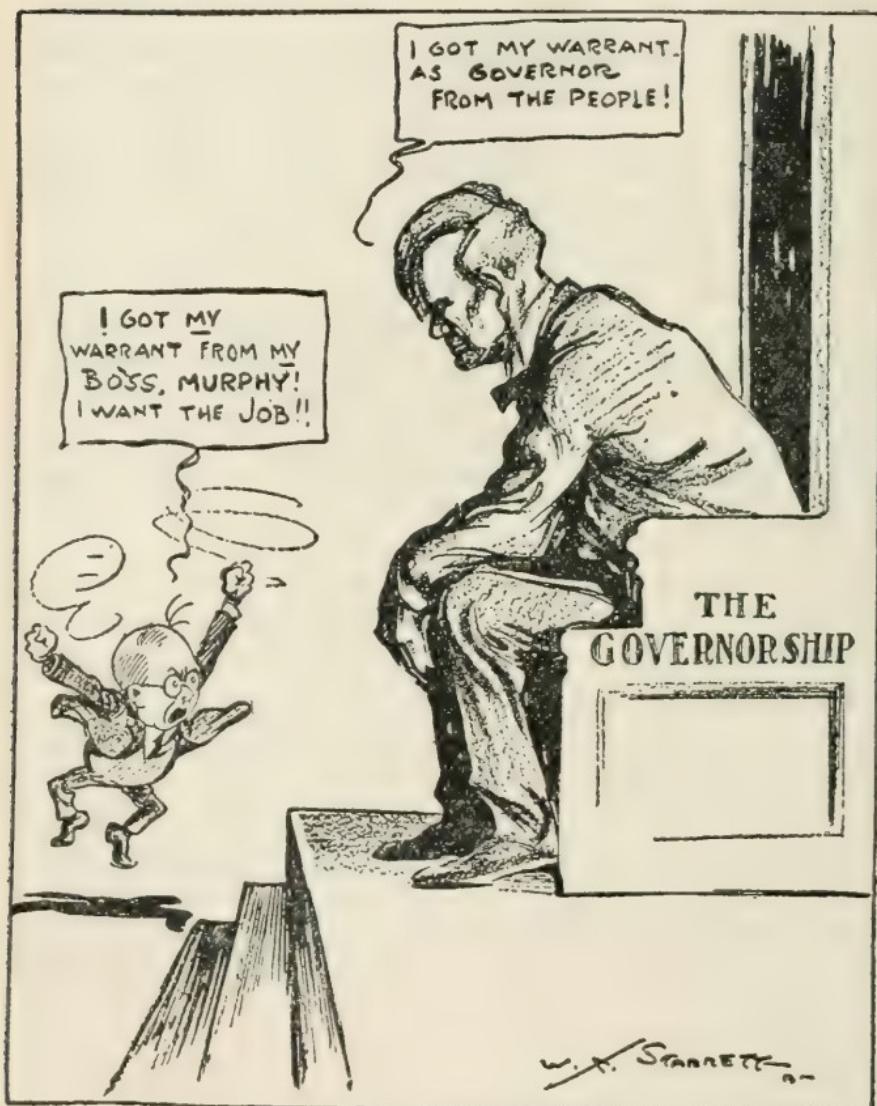
I have no race or religious prejudices. I am charitable in all my views. I am an optimist. I have sympathy for all and know that good works constitute the most enduring monument. I believe in my fellow-men, in the good of society generally, and I know that the world is growing better. I believe in the old integrities, in

the new humanities, and declare with Burns—"A man's a man for a' that."

The people have no fears for Democracy. True Democracy will never die until the pillars of the Republic totter and crumble and liberty is no more. The future of Real Democracy is as secure as its past is glorious, and its ultimate success in the struggle for equal rights to all will be the crowning triumph of the progress of the race and the brightest page in the annals of human destiny.

In conclusion let me reiterate what I have often said before—I am a Democrat, unafeard, free, progressive and independent; and I have the courage of my convictions. I know my duty and dare do it regardless of consequences. The past is secure, my face is to the future. My motto is onward with hope—forward without fear.

THE BOSS, OR  
THE GOVERNOR AND THE PRETENDER



From the Albany Knickerbocker Press  
WHO ARE YOU FOR?

## CHAPTER XI.

## MR. SULZER'S GREAT CAMPAIGN FOR GOVERNOR.

Returning Tammany leaders from the Syracuse convention were heard to express contempt for the man who had just been nominated for governor. They predicted that he would never be able to get along with the organization. They made it plain that Sulzer had been forced on them by political events and that they thoroughly distrusted him. Mr. Sulzer had always been independent, and was never considered by the insiders a Tammany man.

The campaign was short. Sulzer toured the state in a special car, accompanied by political friends and newspaper correspondents. His speeches were clear and convincing. Sometimes he spoke 20 or 30 times a day. He demonstrated his ability as an orator and a campaigner.

He was elected.

The vote for the candidates for Governor was as follows:

William Sulzer, democrat.....	649,559
Job E. Hedges, republican.....	444,105
Oscar S. Straus, progressive.....	393,183

No sooner had the result of the election been announced than the governor-elect began to hear from Charles F. Murphy and other Tammany men about appointments. They made it manifest that they intended to take charge of his administration; to lay down the law as to whom in the various counties he was to recognize in the distribution of patronage, and even went so far as to pick out beforehand the men who were to

surround him in a confidential capacity in the executive chamber.

The first appointment of the Governor-elect was Chester C. Platt, of the "Batavia Times," for secretary. Mr. Platt was well-known for many years as one of Mr. Sulzer's indefatigable supporters for the nomination for governor. He had also proved himself a sincere progressive in politics and economic beliefs. His selection was hailed throughout the state by the anti-Tammany democrats as the first omen by the new governor to be independent of Tammany.

Governor-elect Sulzer spent considerable of his time after election at Washington winding up his affairs there. During that time he was besieged by office-seekers and politicians desiring appointments. He kept his own counsel, however, and made no promises.

#### MURPHY OFFERS TO PAY SULZER'S DEBTS.

After Mr. Sulzer returned from Washington, and before he was inaugurated, the Governor-elect had a memorable conference with Charles F. Murphy in Delmonico's. He spent the afternoon with the boss in his private rooms, and Mr. Murphy on that occasion grew very confidential. It was just prior to the time when Mr. Sulzer was to go to Albany to assume his duties as governor.

There was a friendly talk concerning the result of the election and plans for the session of the legislature. Suddenly Mr. Murphy referred to the financial difficulties of the governor-elect, and in a friendly way expressed his desire to assist him. Mr. Sulzer afterwards admitted that he was amazed at the knowledge which Murphy had gained of the details of his personal affairs.

"I am willing to put up \$100,000 to pay off your debts and start you right as governor of the state," Murphy is declared to have said. When he saw that Sulzer was in-

clined to demur to acceptance of the offer, the boss instantly added: "You know this really is a party matter. The organization should do that much to set you on your feet. You have been elected at less expense to the organization than any candidate for governor within my recollection."

Sulzer continued to indicate his objection to the proposition, knowing well what it meant; that if he in any degree accepted it that moment would he cease to be a free agent at Albany.

Mr. Murphy continued to argue that there was nothing wrong in the governor receiving the benefit of the money contributed to the organization. "Nobody need know anything about it," Murphy pointed out to Sulzer. "The organization is glad to help its friends when they need it." The boss showed he was familiar with Sulzer's affairs, a fact which all the more aroused the latter's suspicion as to the motive for making the offer.

Murphy repeated the offer, asking Sulzer to remember it was for the good of the Democratic party.

"The organization," said Mr. Murphy, "doesn't want you to be hampered by debts when you go to Albany. We will allow you \$1,000 a month for living expenses at the Executive Mansion. The organization wants you to live as you ought to live while you are governor of the state. We cleaned up a lot of money out of your campaign. I could afford to let you have what you want and never miss it."

Sulzer refused.

Mr. Murphy's bold attempt to place the elected governor of the state under financial obligations to himself left a lasting impression on Mr. Sulzer's mind. Even then he foresaw trouble with the boss and wondered how he was going to maintain peace and be his own master.

For his inauguration ceremonies, Governor Sulzer established several precedents. He dispensed with the military parade, which had been a spectacular event in the

inauguration of a governor from the beginning of the state government. He walked from the Executive Mansion to the Capitol, where he was inaugurated in the assembly chamber. Never before, within the memory of the oldest inhabitant of Albany, had a governor been so democratic as to walk to the Capitol for his inauguration.

After the ceremonies in the assembly chamber, the governor established another precedent by appearing at the top of the great staircase at the front of the Capitol, and delivering an address to the waiting multitude which extended far out into the park and beyond the range of his voice.

The Governor's inauguration speech was brief, but eloquent, and is now interesting in the light of subsequent events. Between the lines one may read that the Governor knew his duty, but feared that his path was not to be a rosy one, and that he was on his guard for attacks from within as well as without his party.

Mr. Sulzer said:

"FELLOW CITIZENS:—I realize to the fullest extent the solemnity of the obligation I have just taken as the Governor of New York. Conscious of my own limitations I keenly appreciate the responsibilities it entails.

"Grateful to the people who have honored me with their suffrages, I enter upon the performance of the duties of the office without a promise, except my pledge to all the people to serve them faithfully and honestly and to the best of my ability. I am free, without entanglements, and shall remain free. No influence controls me but the dictates of my conscience and my determination to do my duty, day in and day out, as I see the right, regardless of consequences. In the future, as in the past, I will walk the street called straight, and without fear and without favor I shall execute the laws justly and impartially—with malice toward none.

"Those who know me best know that I stand firmly for

certain fundamental principles—for freedom of speech; for the right of lawful assembly; for the freedom of the press; for liberty under law; for civil and religious freedom; for constitutional government; for equality and justice to all; for home rule, and the reserved rights of the State; for equal rights to every one, and special privileges to no one; and for unshackled opportunity as the beacon light of individual hope and the best guarantee for the perpetuity of our free institutions.

"New York is the greatest State in the Union. It should always stand as an exemplar of economical and efficient and progressive administration. As its Governor I shall, in so far as I can, give the people of the State, an honest, an efficient, an economical and a business-like administration of public affairs. I say business-like advisedly, because I assure the business men in every part of our State that they can rely on me at all times to do my utmost to promote the commercial interests of our commonwealth. I realize how important they are, and shall always be exceedingly careful to take no step that will jeopardize the financial and the commercial supremacy of the first State in the Republic.

"Suffice it to say that I am a friend of every business, whether big or little, so long as it is legitimate, and will always have its welfare in view in the administration of State affairs. To this end I shall work unceasingly for quicker and better transportation agencies, and for improved and larger terminal facilities, in order that New York shall continue to receive her just share of the trade and the commerce of the country.

"It is my purpose to be the Governor of all the people, and, in so far as possible, to follow in the footsteps of Silas Wright in the honesty and the simplicity of my administration; and to the best of my ability try to emulate the example of Samuel J. Tilden in my efforts for progressive reforms along constructive and constitutional lines.

"Let me ask all to be patient and charitable. To avoid mistakes I must go slow. It is better to be slow than to be sorry.

"I know that I am human, and that I shall make mistakes in human ways. Being human I believe in the welfare of my fellow man, and whatever concerns the good of humanity appeals to me, and will ever have my constant care and earnest consideration.

"Whatever I do as Governor will always be open to all and above board. I shall confide in the people, and I indulge the hope that when my official term, this day begun, comes to an end, that I shall have accomplished something to merit their approval, and to justify the confidence they have reposed in my intentions. Hence I shall promise little, but work unceasingly to secure the things now demanded by the people. They know an ounce of performance is worth a ton of promise, and they will judge my administration not by what I say but what I do hereafter.

"The hour has struck, and the task of administrative reform is mine. The cause is the cause of the State, and is worthy of the zealous efforts of any man. I grasp the opportunity the people now give me, and am resolved to shirk no responsibility; to work for the welfare of the people; to correct every existing abuse; to abolish useless offices, and wherever possible consolidate bureaus and commissions to secure greater economy and more efficiency; to uproot official corruption; to raise higher the standard of official integrity; to simplify the methods of orderly administration; to advance the prosperity of all the people; to be ever dissatisfied with conditions that can be improved; to promote the common weal; to guard the honor, and protect the rights of the Empire State; and last but not least to reduce governmental expenditures to the minimum, and thus lessen as much as possible the heavy burdens of taxation.

## CHAPTER XII.

## AT FIRST, MR. SULZER TRIED HARD TO BE AT PEACE WITH MR. MURPHY.

At the beginning of the Sulzer administration the foes of Tammany predicted that the Governor would be an organization executive.

The new Governor, was suave, cautious and diplomatic. It was apparent he wanted to go along the lines of least resistance.

Those intimate friends of the governor who claimed to know that he was not a Tammany man seemed disappointed at the manner in which Governor Sulzer began his term of office in Albany. Still, they counseled patience, pointing out that Dix had permitted Tammany to be so entrenched in the state government, that the new executive had to proceed cautiously to undo what his predecessor had done.

Many of Mr. Sulzer's progressive friends, during this period complained to him of his apparent friendliness to Tammany and the Governor's usual reply was that he was trying to keep peace and at the same time carry through the legislature his program of reform. To one progressive democrat, long known throughout the state, as an unrelenting opponent of Tammany, Governor Sulzer said:

"Charles F. Murphy will soon discover, if he doesn't know it now, that I intend to be the real governor. Be patient."

To another democratic chairman of a county committee Governor Sulzer, early in the year, declared:

"Charles F. Murphy will never control another state

## THE GOVERNOR

convention. A real direct primary law will prevent that. We will get that before I get through."

These remarks, made occasionally to his visitors, were an index of Mr. Sulzer's real attitude toward the boss, even when he was trying to live in harmony with the Murphyized State Organization. But he was careful not to indicate this feeling publicly, and to all direct questions put to him by newspaper men, calculated to test his relations with Murphy, his customary reply, in substance, was: "I am not seeking a quarrel. I am a man of peace."

Meanwhile, Lieutenant Governor Martin H. Glynn was a frequent visitor to the executive mansion which Governor Sulzer had renamed the "People's House." At these conferences between the governor and the lieutenant governor various affairs of state were discussed. At nearly all of them Mr. Glynn urgently pressed upon the governor the importance of using his influence to obtain from the legislature a genuine primary law. He reminded Mr. Sulzer that the democratic platforms in 1910 and 1912 had promised the people of the state that such a law would be passed, and that the Dix administration had been greatly criticised because it failed to fulfil the promise. Glynn pretended to be with Sulzer and urged war on Tammany. But Glynn was all the time undermining the Governor, and betraying him to Murphy.

The governor was then busying himself in getting other legislation through which he deemed vital to the state, included among which were the stock exchange bills, measures to reorganize the labor and health departments, and providing for workingmen's compensation.

In his consultations with Tammany leaders in the legislature about this time, Governor Sulzer advised a policy of harmony, saying that he was willing to give Tammany the larger share of appointments, but that some should go to the leaders known to be opposed to Tammany dictation upstate. He contended that such men

as Smith M. Weed, Joseph Murphy, John N. Carlisle, Thomas M. Osborne, John K. Sague, L. N. Antidale, W. J. Connors and Frank Mott, should be made to feel that they were a part of the organization.

From the average Tammany man the names of these men invariably brought angry comment. The governor was informed that any recognition of these enemies of the organization would be very objectionable to Mr. Murphy. Mr. Carlisle, however, was appointed by the governor chairman of a committee of inquiry to investigate state departments for the purpose of improving administrative methods. The other two members of the committee, John H. Delaney and H. Gordon Lynn, were Tammany men, foisted on the Governor by Murphy.

February 2, after having been a month in office, Governor Sulzer in an interview with a reporter for "The Knickerbocker Press" expressed his confidence in being able to carry through, the nine big pledges made in the democratic platform and in his speeches before election.

"Some of the newspapers seem to be growing impatient," he said, "over what they consider delay in my getting into a fight with somebody, but it isn't my place to seek a quarrel. I am endeavoring to co-operate with all who want to accomplish what we promised to do. Depend upon it, I shall not back away from a position once I make up my mind that I am right."

It is conceded now that the first bitter hostility on the part of the Tammany leaders toward Governor Sulzer came when John A. Hennessy, appointed executive auditor, testified before the committee of inquiry concerning the graft he had discovered in contracts for restoration of burned portions of the state Capitol. The revelations resulted in the forced resignation of Herman W. Hoefer, the Tammany state architect, and a thorough reorganization of that department by the Governor.

## FIRST PROOF OF COURAGE.

Here was the first proof that Mr. Sulzer dared to investigate a department over which a Tammany man presided, and to direct his investigator to make the facts public. This, indeed, was political "treason," as incomprehensible as it was unpardonable to the normal Tammany mind.

"My administration," he said in February, "will not be remembered so much by the appointments I make to office as the laws I am able to get, of lasting benefit to the people. What I say for publication from day to day will not be considered of much consequence unless it is followed by the doing of the things desired done."

When he named Edward E. McCall to succeed William R. Wilcox as chairman of the public service commission of the first district there was dissent from some of the anti-Tammany democrats who were fighting against the pending contract between the city and the Interborough company. The appointment of McCall is said to have been the reason that severed a long political and personal friendship between the Governor and William R. Hearst.

At this time it was assumed that John N. Carlisle, of Watertown, whom the governor had made chairman of his committee of inquiry, was to be appointed chairman of the upstate public service commission to succeed Frank W. Stevens. Carlisle was opposed by Charles F. Murphy. Governor Sulzer was informed by Murphy that Tammany's choice for the chairmanship was George M. Palmer, chairman of the democratic state committee. The governor refused to appoint Palmer.

Lieutenant Governor Martin H. Glynn and Murphy demanded that Patrick E. McCabe succeed Mr. Douglas as public service commissioner. McCabe, as was well known, was the factotum of Charles F. Murphy in Al-

bany county, and the one man, more than any other, responsible for the political advancement of Mr. Glynn.

Governor Sulzer declined to appoint McCabe, and declared afterwards that he was astounded at the proposition of the Boss and Glynn that Palmer and McCabe should be appointed to positions so important, for, outside of their utter lack of experience and training for the places it was pointed out that the people would never tolerate the appointment of political bosses on a commission dealing directly with public service corporations.

GLYNN SHOWS THE CLOVEN HOOF, AND PREDICTS IN FEBRUARY HE WILL BE GOVERNOR.

Although there was already evidence of friction between the governor and Charles F. Murphy early in February, Mr. Sulzer and Mr. Glynn, so far as outward appearances could be judged, were still on friendly terms. Governor Sulzer trusted his associate, as he did other Tammany friends, implicitly, and, during their conferences from day to day, confided to them all his legislative plans.

But while Mr. Glynn appeared to Governor Sulzer as being in sympathy with his program, and indicated a desire to assist him in giving it effect, the lieutenant governor, according to reliable witnesses, was all the while in the most confidential relations with the governor's political enemies. Toward the latter part of February, Mr. Glynn sent for Jay W. Forrest, of Albany, to come and see him in his office at the Capitol.

"Jay, you are making a great mistake in fighting the organization," said Glynn. "Those fellows in New York City are the ones you have got to be with, if you ever expect to amount to anything in politics. McCabe is their representative and you have to be with him if you expect to get any office or favor of any kind. What

is the use, Jay, of running your head up against a stone wall?

*"You know I once had an idea that I could get somewhere by being independent, but I gave that up long ago. Why don't you come in and be with the organization? If you do, even now, you will be well taken care of."*

"I have talked with Sulzer," Glynn said to Mr. Forrest, "and I can get him to take care of you. There will be a good appointment for you."

"We got to talking about Governor Sulzer," said Mr. Forrest, "after Mr. Glynn delivered that lecture to me about the foolishness of being independent in politics. The lieutenant governor, I recall very distinctly, said:

*"Murphy has tried to get that fellow downstairs (the governor) to do certain things, and if he does not do these things I will be governor of the state."*

"That happened toward the last of February and it was not known just how Governor Sulzer was going to act. He hadn't been living up to what I considered the promises of the platform, and it looked as if he was going to be another Dix. For that reason I attached no particular significance to the words of Mr. Glynn. But what he said before election about the possibility of the Governor's removal, and what he said at that meeting in his office in the Capitol in February, came home to me with re-inforced meaning, in the light of subsequent events.

"I am stating the facts in as nearly the language as I can now put them, and I leave the people to draw their own inference," continued Forrest. "For some years past, Mr. Glynn often undertook to tell me what a fool I was not to get inside the organization, and I could have pretty near anything I wanted. At all of these conversations he set himself down as being in harmony with Tammany, with Murphy and McCabe, and told me again and again that my only salvation was to get into the Tammany band wagon. He particularly wanted to

impress on me that McCabe was the whole thing in Albany county, and that McCabe was the authorized agent of Charles F. Murphy.

"In the summer of 1912, weeks before the democratic state convention at Syracuse, I met Mr. Glynn and he said to me:

*"I have a good chance to be nominated for governor. Murphy is the whole thing in this state, and if you want anything you have got to be with him. Dix can't be re-nominated because he can't be re-elected. If you want anything you have to be with McCabe in Albany county."*

#### DINGED IN EARS ALL SUMMER.

"That kind of talk was dinged into my ears all that summer. Mr. Glynn seemed to know the inside of the Murphy game, and he was giving it to me to persuade me to come out into the open for the organization."

About August 20, 1912, Mr. Glynn sent word to Mr. Forrest that he would like to see him at the newspaper office of the former.

"Jay, I think I will be nominated for governor this year. If I am not nominated for governor I can surely be nominated for lieutenant-governor. Would you advise me to take it?"

"Yes, I would advise you to accept the nomination for lieutenant-governor," Mr. Forrest replied. "There is always the possibility of death and then you would be governor."

"Yes, or removal," instantly added Glynn.

"That conversation took place between us," said Forrest, "when we were on very friendly terms and six weeks before the Democratic state convention was held at Syracuse."

Mr. Forrest said that although he gave no thought to Mr. Glynn's prediction that he would be nominated for one office or the other at the time, his remark "or re-

## THE BOSS, OR

"removal" took on a serious significance when Charles F. Murphy's plot to remove Governor Sulzer revealed itself.

Was the plot to remove Governor Sulzer being considered by Tammany leaders even in the summer of 1912?

Did they foresee two months before the convention that Sulzer, always active as a candidate, was the most available man in that year of independent upheaval in politics and that if Martin H. Glynn, their first choice, could not be nominated it might be wise to take a chance on Sulzer?

These and similar questions naturally force themselves on the mind in view of what subsequently happened.

Mr. Glynn's conversations with Mr. Forrest during this period as well as with other close friends showed that he was in the confidence of Charles F. Murphy, Tammany boss; with Justice Daniel F. Cohalan and other "king-makers" in Tammany. They showed also that plans for the Syracuse convention and for events after the convention and even following the election of that year were all being laid out carefully by the Democratic bosses and that Mr. Glynn was being advised of all their political projects, if indeed he was not one of the chief planners.

Six weeks ahead of the convention, Glynn was sure that if he could not be nominated for governor he certainly would be named for lieutenant governor, and even then was considering the possibility of removal of the governor. That thought would hardly come to his mind had it not been discussed between himself and those who were pushing him to the front as a candidate. Taken in connection with other significant facts, Mr. Glynn's contemplation of what might happen to the elected governor sheds a flood of light on the situation.

## THE GOVERNOR

### CHAPTER XIII.

#### THE BOSS CHARLES FRANCIS MURPHY.

VICIOUS ATTACKS UPON GOVERNOR SULZER ALL ARE  
INSPIRED BY BOSS MURPHY

[Editorial from The Reform Bulletin, Albany, N. Y.,  
July 18, 1913]

We have said little in The Bulletin about the many vicious attacks upon Governor Sulzer, made or inspired by Boss Murphy of Tammany Hall, as we have thought it scarcely worth while. Governor Sulzer's life record is an open book. His record in Congress was a creditable one and his record as Governor has certainly been most commendable. We may not agree with everything he has done, for like the rest of us, he is human, but we know his heart is right.

We do not believe the good people of this State will give any credit to the vicious, scandalous attacks being made upon Governor Sulzer by such a character as Charles F. Murphy, the Tammany Boss. They are fabrications, instigated by the Boss because Governor Sulzer will not do what the Boss wants. That explains it all.

Governor Sulzer knows things about Boss Murphy which we think he ought to tell and which we think at the proper time he will tell. Murphy's barroom training has not properly fitted him for directing the affairs and the destiny of this great State. Twenty years ago Murphy was wearing a white apron and running a saloon on Avenue C; two years ago he was wearing a silk hat and running the whole State, including the Governor, Senate and Assembly, and most of the State departments! This

year Murphy has been able to run only the Legislature and *some* of the State departments, but he has not been able to run Governor Sulzer.

Early this year, Murphy met the Governor and told him plainly that if he did not make the appointments which he (Murphy) recommended that he would ruin his administration and disgrace the Governor personally. Governor Sulzer refused positively to make the appointments desired by Murphy and now Murphy is trying to carry out his threat to ruin the Governor's administration and disgrace him personally. The decent people of this State ought to stand by the Governor for the enemies he has made. It is to the Governor's everlasting credit that he is now being attacked by such a vile character as Boss Murphy and his henchmen. The same gang will doubtless devise some more "frame-ups" against the Governor, but in the end they will all prove boomerangs against Tammany, who started them.

The Bulletin did not support Governor Sulzer for election last year. We thought he was too close to Tammany, but he is certainly far enough away from Murphy now. He has burned the bridges behind him and he will never return to Tammany Hall. Tammany will never allow Sulzer to be Governor in the future, if they can prevent it. But the best element of the Democratic party all over the State is with Governor Sulzer, and we believe the best element of all parties is with him. If the State-wide direct primary bill is not passed before the next State conventions meet, Murphy and Barnes will doubtless both nominate men whom they can rule as their puppets while Governor. This is why we urge Governor Sulzer to stand firm for the passage of the State-wide Direct Primary bill.

*Remember, if the corrupt bosses could control Governor Sulzer they would not be attacking him now. Do not forget that the Governor is fighting graft, fighting for direct primaries; fighting for good government.*

*Every honest citizen in our State should now sustain the Governor. If Sulzer is beaten by the bosses the cause of reform will be checked for many, many years. Help all you can.*

The editor of The Bulletin has watched with great interest the battle between Governor Sulzer and the Bosses, and we believe that he is sincere and firmly determined to do his very best to secure passage of a State-wide direct primary law which will be of untold value to the moral forces of this State in the years to come.

Every citizen, irrespective of his political affiliation, who believes in clean government and honest politics, and who is opposed to graft of every kind, should back up Governor Sulzer in the terrible battle which he is now waging for the welfare of our State.

O. R. MILLER, Editor.

## WHY THE GRAFTERS HOUND THE GOVERNOR.

INTERESTING LETTER FROM GOVERNOR SULZER.

STATE OF NEW YORK—EXECUTIVE CHAMBER.  
ALBANY, July 14, 1913.

Rev. O. R. MILLER,

61 State Street, Albany, N. Y.

My dear Mr. Miller:—Yours received. I want to thank you for all you are doing to help me in the struggle to give the people of New York honest government.

You have no conception of the obstacles put in my way. Neither have you any idea of the difficulties that beset me. Often I am sick at heart; but then words of assurance like yours come to hand, and I take renewed hope to go forward with determination.

When the political bosses found out they could not control me, and make me a rubber stamp, they threatened to destroy me politically, and they have been doing everything in their power, ever since, to that end.

However, I have no fear of the ultimate result. The people will win. The truth will prevail, and right makes might. In the future as in the past, you, and all our friends, can rely on me to do my duty to all the people, as I see the right, and God give me the light, regardless of political or personal consequences.

Of course, the grafters are hounding me. Mr. Murphy and his hirelings necessarily are traducing me. They have had detectives following me around, and searching high and low to find out everything I have ever done since my birth. Why? Just to get some mud, if possible, to throw at me.

However, I can assure you there is nothing in the charges they make against me. Most of the stuff they get in the newspapers is pure fabrication. They know this, and they know it will not in the last analysis hurt me; but they also know it worries me and annoys Mrs. Sulzer.

When Boss Murphy told me he would destroy me if I did not do his bidding, I defied him to do his worst, and declared I would continue to do my best. The fight for good government will go on. The bridges are burned. With the aid of the decent, God-fearing people of our State I shall go forward, come what may.

With best wishes, believe me,

Very sincerely, your friend,

WM. SULZER.

## CHAPTER XIV.

## GRAFT! GRAFT! GRAFT!

A series of articles contributed by Governor Sulzer to the columns of one hundred and twenty-five newspapers in the United States during July and August, 1913, attracted nation-wide attention, on account of their startling revelations of corruption in the Department of Highways, the Department of Public Works, the Prisons Department and the State Architect's office, coupled with the most resolute expressions of a determination to drive the grafters from the public treasury, and have them punished for their crimes. These articles arraigning well-intrenched and shameless systems of graft were accompanied by the first blows of a war of extermination, dealt chiefly through the investigations of John A. Hennessy and George W. Blake—investigations which were also followed by grand jury indictments and convictions.

These articles possess peculiar historic interest because the purification of the politics of the State which they foreshadowed undoubtedly led to Charles F. Murphy's determination to remove Governor Sulzer from office. They are republished, together with the last message which Governor Sulzer sent to the Legislature, in which he reviews the work of the regular session, and the recommendations which he made in special messages to the extraordinary session, the chief of which was the passage of a bill providing for state-wide direct primaries, in order that boss rule with its accompanying corruption might be destroyed, by permitting the people to nominate all State officers. The message also gives a list of unconfirmed nominations sent to the Senate, among the

number being those of James M. Lynch, for Commissioner of Labor; Charles J. Chase and William E. Lefingwell to be Public Service Commissioners, and John DeWitt Warner to be a Trustee of Cornell University.

All of which goes to show that Governor Sulzer was removed not because of the offenses with which he was charged, but because he refused to do Charles F. Murphy's bidding, and because he relentlessly pursued Murphy's corrupt henchmen, whose hands were in the public treasury.

#### ARTICLE I.

PARADISE OF GRAFT IN ALBANY EXPOSED—  
\$34,000,000 SPENT IN A YEAR WITHOUT A  
SINGLE AUDIT—WHOLESALE PROOF OF  
PADDED PAYROLLS—EVIDENCE OF \$17,-  
000,000 OF PEOPLE'S MONEY STOLEN OR  
WASTED.

By Wm. Sulzer.

Honeycombed with graft, the State of New York, as my investigators are to-day revealing the inside workings, is a lesson to her sister States in the Union.

When I took office as Governor of the State last January, on the very first day, my attention was abruptly called to the fact that during the year just ended there had been spent in the State \$34,000,000 WITHOUT A SINGLE AUDIT.

On the second day that I was in office a messenger presented to me bills amounting to hundreds of thousands of dollars, pointing out to me where I was to sign my name. If I had attached my signature to those bills they would have been immediately paid, and yet the messenger thought that he was telling me nothing unusual when he said that other Governors had signed bills that way,

and that one Governor had left a rubber stamp outside his office with the messenger, so that he would not be bothered.

"Leave those bills there," I said, "and I'll look into them. The rubber stamp period is over."

Within a week I found that there was not only carelessness and waste in the handling of the people's money, but there was theft, theft of the baldest kind. In the very halls of the Capitol itself we found the State being robbed, with almost no attempt being made to cover up the crime or the criminals.

Men were being paid for doing a hundred days' work in a month, some men for doing twenty-four hours' work a day. The cheapest kind of material was furnished to the State at the highest prices, padded payrolls were as common as flies in August, and here and there and everywhere was GRAFT! GRAFT! GRAFT!

### A SALUTARY LESSON

I have written this series of articles on graft in a great State because I believe that there is a great lesson not only for the people of New York, but for the people of the United States, in the exposures that we are making.

I am writing them because honesty in public life is the first essential in the health of the Nation. While it is a horrible thing that there should be such thievery and crookedness in the State, it is an encouraging thing that it is being found out.

In the first article I purpose to show how the grafters became so brazen that they did not hesitate to steal under the very nose of the Governor, despite the fact that my first and most important pledge to the people when I was inaugurated Governor was that I would give the people an honest and economical administration.

The second article I shall take up the grafting on

the highways of New York State, where millions of dollars of the people's money have been stolen. Already we know that six millions has been criminally mis-spent. Of one place we know, where the graft amounted to \$5,000 a mile. Think of the possibilities when thousands of miles of road are covered by the good roads plans of the State. Contractors who were paid \$10,000 a mile did almost nothing but throw gravel on the road; and in some places roads that cost as much as the Appian Way of the Romans, which has lasted since it was built before the Christian Era to the present day, have not lasted a single winter.

In the history of graft the roads of New York State are easily entitled to first place.

#### DEALING WITH CRIMINALS

No division of government is more important than that dealing with the treatment of criminals. What constitutes proper and curative treatment of the men in prisons is something that every thinking man and woman must be interested in. For that reason it is perfectly proper that the progress of a State may be properly judged by the condition of its prison department.

It is of this I will treat in my series of articles because the lesson of the conduct of the Prison Department of New York State, humiliating as the narrative will be, is one that I want to see spread far and wide. Think of conditions where prisoners are actually driven insane by inhuman caretakers. Think of the criminal who, taken charge of by the State, becomes sick and finds when he calls for medical attendance—to which he as a human being has every right—that he is treated worse than a dog, and is finally driven hopelessly insane.

My first investigations into this large subject show that the prisons were absolutely in the hands of the

politicians and the grafters. As an instance of their daring and greed I will mention one case, what is known as the Great Meadow Prison. This prison was deliberately built down in a hollow, on unhealthy soil, part of it on quicksand, when surrounding this very spot is high, healthy, desirable and purchasable land. Any of the healthy high lands could have been bought for \$5,000. But no, \$92,000 had to be paid for the most undesirable and unhealthy piece of land in the vicinity.

### THE SHAME OF THE SENATE

In one of the series it has seemed to me that, unwilling as I am to deal in personalities, I should tell the real facts of the Stilwell case, which has, not inappropriately, been called "the shame of the Senate." All over this country there is a demand for young men to go into the Legislatures and take up the great progressive reforms that are crying for enactment. Everything that is done that will point the pitfalls and dangers ahead is a benefit to the young men who are elected to the Legislatures for the first time, or hope to be elected.

In the fifth article I have discussed the placing of the State on a business basis—for, after all, that is the problem that I find before me if I would keep my oath of office and my promise to the people to furnish an honest and honorable administration. New York is the great commercial State of the Union. Its supremacy in wealth and power is admitted everywhere. The greatest business concerns of the country have their headquarters here.

And yet New York State conducts its business, which involves an expenditure of \$50,000,000 a year, with every economic waste and less regard for business methods than the most primitive wayside country store. Supplies are bought not only at retail prices, but frequently at the highest possible retail prices. Different departments buy

where they like and pay what they like, and nobody has the power to tell them to stop and use the same intelligence and economy that a corner grocer would do in the purchase of his goods. Employes in one department are paid twice the salaries of employes of the same grade, the same intelligence and the same ability in another department, only because the head of the department with the high-priced employes has a little more political "pull" and is more anxious to build up a political machine.

### A GIGANTIC UNDERTAKING

To remedy these abuses and introduce order and system and business methods in the State and finally place it on a real, substantial basis, is the gigantic work that I have before me in the eighteen months of my administration.

I have been in office now for six months, and in that time I have learned enough to be able to say without fear of contradiction that in the past three years \$50,000,000 of the people's money has been wasted or stolen. Seventeen million dollars a year for one State means that if that proportion holds for the other States in the Union, \$170,000,000 of the people's money throughout this country has been lost—almost enough money to run the five greatest States of the Union, and enough money to feed the poor of the world.

New York is the greatest business State in the Union. We are all proud of her business supremacy, the people of California as much as the people of Maine. And yet, as a business proposition, the State government is probably the worst in the Union.

Incidentally, I want to say here that, despite the endeavors of some people to misconstrue my words and misunderstand my attitude, I am as much a friend of the honest business man as I am of the laboring man. There are men in Wall Street who are fighting graft

just as hard as I am, and who are just as anxious as I am to clean up the crookedness.

When the members of the committee from the Stock Exchange called to see me to discuss the measures that I favored for reforming that great concern, they were doubtless surprised when I repeated to them that I considered that I was doing them a great service by insisting that their business must meet with the conditions that the public demanded.

### HOW THE STATE WAS FLEECED

To show by what means the State government was "fleeced," let me give some details. One of my first discoveries was that eight men were drawing pay for doing 100 days' work, each, in one month on the Capitol, and not the coldest month at that.

When we called for an explanation as to how this was done, the answer of the contracting firm was that the men supposed to be electricians had worked twenty hours a day for twenty-seven consecutive days in the month. When this firm was asked to produce the time-keeper who checked up the progress of this wonderful industry, he was found to be a man in a hospital, physically and mentally incapacitated from doing the work for which he drew pay.

Being in a hospital, the timekeeper had been content to draw pay for one regular day of eight hours.

Is it any wonder, in the face of this typical political outrageous theft, that I have said that the graft that has been going on in the State of New York makes the crowd responsible for it dwindle the Tweed gang into the insignificance of "pikers?"

Under the same contract, \$2,000 was charged for moving the furniture in and out of the Secretary of State's office while it was being wired. This extraordinary sum was reached by charging for electricians at the

full pay of electricians and heavy overtime charges. The only wonder is that the contractors did not engage bankers, opera singers and poets to move out the furniture, and charge for its removal at bankers' and opera singers' regular prices.

James Bryce says that in 1882 there were only seven States in the Union where there was raised for State purposes more than \$2,000,000. In that year the revenue raised by the State of New York was \$7,690,416. To-day the State government is costing the people from \$55,000,000 to \$60,000,000, and the most careful investigators declare that it should not cost more than \$25,000,000. Of the difference there is, as we have established by our investigations up to date—and I say it with regret that I fear we have only scratched the surface—\$17,000,000 that we know is waste and graft.

#### BUNCOMBE TO THE GRAFTERS

When I became Governor of the State, on January 1, I said in my message to the Legislature:

"The way to stop extravagance is to retrench and economize. A cursory examination into State affairs convinces me that many expenditures can be stopped and efficiency promoted if every State officer will clean house, stop waste and practice every economy consistent with good government and the orderly administration of public affairs.

"Let us do our best, day in and day out, to save wherever it is possible, and make honesty and simplicity, economy and efficiency, the watchwords of our administration of the people's business."

Despite the fact that I heard that the politicians, and even others whom I ought to have been able to count on for support, were murmuring that this was "buncombe," I had even then a pretty definite impression that there was much waste, but I did not know that there

was so much dishonesty. Not until the Committee of Inquiry which I appointed almost immediately on taking office and the executive auditor, Mr. John A. Hennessy, began making their reports on their discoveries was it evident that not unbusinesslike methods alone prevailed in the State, but the most businesslike methods of the criminal order were even then, under a change of administration, being continued.

The instances of grafting that have been referred to above occurred where one would think that a certain amount of caution and care would have been exercised, even if the politicians and the contractors thought that my protestations of honesty and economical administration were but half intended.

So bad were the general conditions that our first discoveries were in the Capitol itself. Several years ago there was a fire in the State Capitol, a building that in itself summons up memories of graft that will never be effaced as long as it stands, and the damage done necessitated rebuilding and rewiring that before it is done will cost nearly \$2,000,000.

### AN ELECTRICAL MIXUP

When Mr. Hennessy began his investigation one of the first things he discovered was that there were two electrical companies working on the rewiring of the Capitol. Asked the reason for this, he was told by the State Architect, under whose supervision the work was being done, that one of the firms was at work on the job when my predecessor requested him to put another firm on the job. This he immediately did, but kept the other firm at work also, following the example of the dyspeptic who, when ordered to take a glass of milk and a roll for dinner, reported that he had followed instructions, but that the milk and roll had evidently not agreed with the beer and pickles that he had eaten first.

The firm that was originally at work has had its bills paid, although there were unnecessary expenditures that should not have been allowed. The firm that was superimposed on the job has had its bills held up and the State will know more about some of those bills before a dollar of them is paid.

### A SERMON IN "POLITICS"

There was a complete sermon in "politics" in the story of that rewiring. There were, by the engaging of two companies, double overhead charges of supervisors and foremen and for double timekeepers, as the work was being done on a percentage basis. Not only were men put on the payroll of this company who did no work, but names of men whom it is impossible to find and who probably never existed, were placed on the payroll. In one case two men, members of the Mason's Union, were found, out of a payroll of eight, and they declared that they never saw the other six men who were supposed to be working with them and for whom the State was paying not only high wages, but a percentage to the company that collected the wages and attested that the men had done the work.

The reckless indifference to outward appearances was shown in the bills put in. Under a previous State Architect, who had undoubtedly supervised the work, the percentage of labor was \$1.89 to \$1 of material. Under the grafting system the percentage of labor was \$10.94 to \$1 of material. From the middle of October to the 27th of November there was absolutely no attempt to pay attention to the conventions, and bills claiming that it took \$3,002 worth of labor to put \$138 worth of material in place were presented.

### THE CONTRACTOR IN POLITICS

I found evidences all over the building of the political

"WHAT ARE YOU GOING TO DO ABOUT IT?"



From the Albany Knickerbocker Press

THE TREASON OF TAMMANY.

use of the contractor. Everywhere were men who had been put on the pay roll because some politician or office-holder wanted it done, and in one instance we found the brother of a well-known politician down as an electrician. When he was summoned he testified that he had done no work of that kind. The engineer employed by the State Architect said when we began to investigate that it would take \$125,000 to complete the wiring of the Capitol, while my consulting engineer declared that he would get a reputable contractor who would give a bond that it could be done for \$40,000 at the most.

There was something almost engaging in the admission of one man who stated to us that he had resigned a \$200 a month position in the State Architect's office to supervise all the electrical work on a 5 per cent. basis, thereby bringing his income up to \$1,500 a month.

"Did you supervise all the work?" he was asked.

"Oh, no," he replied, almost indignant that the investigator should think that he would work to the injury of his health.

"Did you draw a percentage for all the work done?"

"Oh, yes," was the unhesitating response, as if to neglect to take all possible of the State's money, whether earned or not, was not only a blunder but a crime.

#### DICKERING WITH SPECIFICATIONS

One of the great sources of graft not only in this State, but in all States, as investigations elsewhere have shown, has been in the changing of specifications after a contract has been let. This, of course, cannot be done except where the State or the officials are corrupt or willfully stupid. The contractor who bids to supply a material that will cost him \$100,000 and intends to charge this sum to the State, but intends to supply material that will cost him only \$50,000, must necessarily count on the inspectors of the State, the people who

O. K. his bills, and accept his work being willing to cheat the Government and accept in the name of the community material of less value than it has contracted and is paying for.

Of course, the contractor does not expect to get this privilege for nothing. Sometimes he pays the heads of the political machines that run the State, and the officials, sometimes he pays the officials themselves, but always there is the "great divide."

"Fifty-fifty" has become the popular way of expressing the method of division, meaning that the contractor, after he has paid or bribed all those necessary for him to get the crooked work through, is lucky if he is able to keep for himself 50 per cent. of the money that he has stolen from the State.

It is because this matter of the changing of specifications has seemed to interest the public little that too much praise cannot be given to the work that is being done by the non-partisan bodies in various cities that have undertaken the matter of educating the public on all budget matters and stirring them up to taking an interest in all public contracts.

#### AN ENTERPRISING PLUMBER

In our preliminary skirmishes during the first two months of my administration—and as a matter of fact all the graft that has been turned up has only come to light because of practically light skirmishing for the purpose of finding out how to reduce the expenses of the State—we came across a splendid instance of the specification changing.

A plumber was given the plumbing contract for the Capitol which for one wing only, amounted to more than \$54,000. He departed from the specifications so radically that my experts have estimated that he has made 40 to 50 per cent. more on the contract than he would have

made had he given the State the material that he contracted to deliver.

When the State Architect, who not only knew of these changes, but admitted that he consented to them, was asked what he had to say about it, he declared that he had a verbal understanding with the plumber by which the State was to receive an allowance—amount not stated—because of its acceptance of this inferior material.

When I compelled the State Architect to resign, we discovered that instead of the State getting an allowance for the use of inferior material, the contractor had been permitted to get an increased sum for the use of the inferior materials, and had, indeed, received an increase in almost every item in the schedule of his contracts.

In the face of these revelations is it any wonder that at times I am almost puzzled to understand why the men who were permitting this chicanery did not follow the examples of those medieval residents of Rome who, when they felt the need for building material, backed their wagons up against the Capitol and just moved away what they needed.

## CHAPTER XV.

ARTICLE II.  
GRAFT! GRAFT! GRAFT!

ROAD FUND LOOTERS—PAVED PARADISE OF  
GRAFT—THIEVING CONTRACTORS CON-  
NIVE WITH POLITICIANS—WORKED  
WHILE FARMERS SLEPT—MAIN HIGH-  
WAYS NEGLECTED—USELESS ROADS  
BUILT FOR POLITICAL FAVORITES.

By Wm. Sulzer.

With the open and desperate attempt of the agents of “invisible government” to seize the roads of New York and appropriate the sixty-six millions of dollars that is yet to be spent on them began the war now going on in New York State, a war that I promise will not be finished until there has been established a primary reform that will enable the people of this State to govern themselves.

“Invisible government” feeds on corruption. It feeds corruption to its agents. Its agents corrupt its sub-bosses. It can, therefore, easily be imagined that there is no department more desirable than the Highways Department in a great State like the State of New York, where the roads lead from the largest city on the continent and penetrate forests and high mountains.

With a padded pay roll that extends from New York to the Adirondacks and a theft in specifications that feeds contractors from Westchester to Erie, is it any

wonder that boss government has made no little fight against giving up this privilege?

I do not mean to say that there were no honest contractors employed on the New York State roads, but as a rule they were crowded out of business, for, in the first place, they were not wanted by the crooked bosses and crooked politicians who dominated the situation.

#### WASTE AND THEFT \$6,000,000

In the second place, the honest contractor could not afford to do business against dishonest competition, for, from New York to Buffalo, a distance of over four hundred miles, we have found mile after mile of roads where the contractor, having agreed to put in a sub-base of six inches, has put in only four inches; where he has contracted and been paid for a top surface of three inches of one kind of material and has supplied a surface of two inches, sometimes one inch, and more frequently than not of such cheap material that his profit has been 50 per cent. more than it should be. It is hard to estimate the number of dollars that have been stolen already, but the waste and theft easily amount to six millions of dollars.

The State will not get this back, but the contractors who swore—as they must have done, under the law, to get their pay—that they had followed the specifications, and the State officials who swore that they had investigated the work and found that the contract had been carried out—these men will be brought before a jury and every endeavor will be made to punish them as sure as I am Governor of the State of New York.

#### A GREAT HOWL OF INDIGNATION

I am frequently asked why I summarily removed Superintendent Reel from the Highways Department. I

answer because he was absolutely incompetent; because he was a tool and a very poor tool at that.

I said that when I became Governor I was going to drive out of official life every grafted in the State. I have been doing that, and I will keep it up as long as I am Governor. The grafters are on the run. The honest taxpayer is coming into his own. There is a new order of things in the Empire State.

When the "organization" decided it must have the roads of the State of New York to perpetuate itself in power it began in numerous ways known only to "organizations" and "invisible government" to bring pressure to bear upon me to appoint a highway commissioner whom they could control and utilize to their advantage.

When I refused to make this appointment there was a great howl of indignation from those men who believe that the "organization" can do no harm. At that very moment, however, my investigators were discovering that a favorite contracting firm were the dispensers to the State Highways Department of what is known as cementitious gravel. This gravel could only be got at one point on the Hudson.

#### NO DIFFERENT FROM OTHER GRAVEL

The contractors were forced to carry it hundreds of miles, it being supposed to have a cementing quality. Examination by my experts shows that this gravel was different from no other gravel; that it did not have the property claimed for it; that the prices paid for it were absurd and outrageous, and that the methods by which this company forced the Highways Department to accept its productions should be investigated by the Grand Jury.

Another example of the way in which the roads were manipulated by boss government, an example that goes to show how non-partisan is corruption, is given in the partiality shown a Republican boss of one of the Hudson

River counties. Whenever the honest independent Democrats of that county have endeavored to organize, the "organization" has discouraged them, and has depended on this Republican boss to give such aid to the Tammany county deputy as was necessary.

As an evidence of the favor in which this Republican was held by the Democratic boss, a State road was so planned that it was to run directly through his barn, necessitating the removal of his barn and the appropriation of a small amount of his land. An award was made to him of over six thousand dollars, although the opinion of most people as to the value of the barn was that it was not worth more than fourteen hundred dollars!

New York has undertaken to build State roads on a gigantic scale. Not the Romans themselves planned a more thorough or splendid series of highways. A word about the beginning of this planning, and how it came about, and how the money set aside for the roads was diverted into the hands of corrupt contractors and politicians is necessary.

#### FOR THE FARMERS' BENEFIT

With the coming of automobiles into general use there was started in 1898 an agitation for the construction of highways along the natural lines leading from New York City. This agitation brought about small appropriations, but the movement had little success in general until the various granges took up the movement, attaching themselves to it on the theory that the high cost of living would be greatly reduced and agriculture doubled if the farmers should have good roads on which to get their products to market.

This made the project popular, and in 1905 the State bonded itself for good roads to the extent of fifty million dollars by constitutional amendment. The project was interesting, and as roads were mapped out with two great

trunk line highways from New York City to the end of western New York, with feeders into every part of the State, the imagination of the people was aroused.

Largely through the interest of farmers and small towns another fifty million dollars was voted. The people who were most enthusiastic in appropriating this money were those who were most affected by its misuse, for it was the farmers and the small shopkeepers in towns and villages who looked for the benefit, and, owing to the wastefulness of the politicians and contractors, did not, of course, get it.

In three years from 1906 to 1909 only eleven million dollars of the first fifty millions had been appropriated or put in contract. The politicians began to understand how to manipulate the contracts so as to make money out of them. Then began the diverting of roads and the re-location of roads so as to increase the value of property belonging to bosses, sub-bosses, co-bosses, etc.

#### ROADS THAT LEAD NOWHERE

. Then began probably the most brazen part of the process of manipulating the Highways Department by laying out roads that began nowhere, and ended nowhere; roads that were run close to some quarry owned by some political boss or lieutenant, or would run to some roadhouse. The farmers, however, saw the fine roads that were laid out on the map and they lived in hope.

The farmers slept while the politicians worked. In a way, of course, it was impossible for the State in general to know what was being done, for a man in Schoharie or Albany county had no way of knowing that the State money was being used to build State roads into Adirondack camps, and the people in the Adirondack camps, of course, had no complaint to make.

As the State's money was spent, experience in graft

grew and politicians became more scientific in their appropriation of the people's money, and it was then that the Highways Department evolved such donations as it gave to the Republican boss when it created the State road No. 909. This road was diverted from an old and long traveled county highway, which gave a splendid bottom, to a road which ran across fields which required a sub-base of heavy stone. The uninitiated will ask "Why?" and they would probably not be thoroughly satisfied when told that it is just as important for the agents of "invisible government" to get a working minority, as it is to control the majority.

It has found by experience that when the majority wishes to put through some particularly obnoxious measure without saddling the entire responsibility, it is a good thing to have sufficient control of the minority to get votes from the opposition and thereby to confuse the issue.

When I became Governor I discovered that an attempt was being made to relocate another road, this time sending it over the mountains, and that coincident with this relocation the wife of the Republican boss referred to above had purchased from a well-known actor a large farm through which the new road would run. This would, of course, have necessitated this same Republican family making another sacrifice in the interest of the State. Regretful as it was to deprive the family of an opportunity of showing its patriotism again, I have canceled this relocation, and this road will not be built.

#### A NEW FORM OF GRAFT

In 1910 the politicians, now thoroughly masters of the subject, conceived a new plan. After many roads had been built, some twenty million dollars of the people's money having been expended for about eleven million dollars' worth of roads, it was decided to have a depart-

ment of maintenance and repair. Aside from the fact that this department offered great possibilities for making money, it was absolutely necessary because the roads, although constructed within a few years, were already falling to pieces.

So this department was established and confidential inspectors were appointed, the term "confidential inspectors" being necessary in order to avoid the rules of the Civil Service. These confidential inspectors were all politicians of the machine type, and, as a rule, absolutely unequipped for the work they were supposed to undertake. One confidential inspector had been a county judge, another was a lawyer, all were in some way identified with their local organizations.

The method adopted by the confidential inspectors in inspecting and repairing the work and passing on it was interesting—they made an automobile trip over the road when it was finished! Having appointed confidential inspectors until the payroll would stand for no more it was decided that there should be some foremen of laborers in the Highways Department. The Civil Service Department was asked for a list and, of course, as the Civil Service Department had no such list the Highways Department appointed up to the point of saturation all the barbers, liquor dealers and other handy men in political caucuses that were needed.

Contracts were let and repairs made at prices as high as eight thousand dollars a mile! A contractor would be asked to repair a road with stone that would cost as high as \$5.75 a yard, and after the contract had been awarded to the man who stood in on the graft he would be permitted to use what is known as "field" stone, picked up in fields alongside of the road, which, when crushed and put in place, was not worth more than \$2 a yard!

And still the politicians grew more scientific and the Highways Department got new ideas. Instead of allow-

ing the contractors to put the oil on the road, the department decided to buy the oil itself and supply it to the contractors, to the extent that in 1912 six million gallons of oil for repair purposes alone were purchased by the State Highways Department! This oil was bought at from eleven to fourteen cents a gallon, while the city of New York paid from five to eight cents for the same oil!

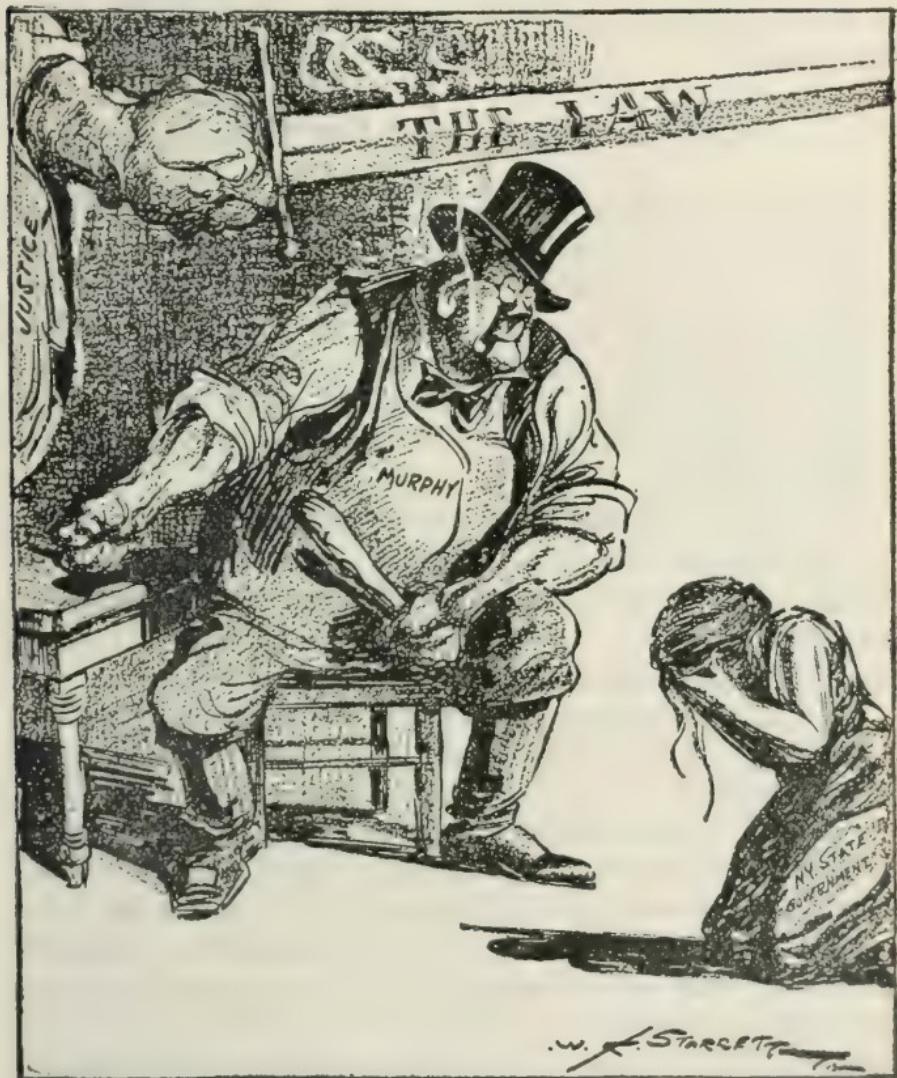
### A STUDENT OF GOOD ROADS

For weeks before I was inaugurated Governor I had been studying this highway problem, for I had heard much of the things that had been done and were being done. I had long been a student of good roads, and had much to do in Congress to improve our national system, having perhaps a natural interest in good roads, inasmuch as I have traveled some long ones from Wrangleland to Patagonia.

My first official act was to request the resignation of the three Civil Service Commissioners and to appoint three men on whom I could rely to guard the interests of the State not only in the Highways Departments but in the Canal and other departments. I caused a commission of inquiry to investigate the highways immediately; had the Civil Service Commission abolish all foremen and confidential inspectors, and held up all contracts awarded, both for the construction of new roads and the repair of old roads. I then asked the Superintendent of Highways to resign after he had been given opportunity to explain many of the things that I have related.

I then had the executive auditor, Mr. John A Hennessy, make a careful and detailed investigation of the roads with expert men and road engineers, so that the evidence that we will offer to the grand juries of the various counties as to what fraud has been perpetrated will not be the evidence of hearsay or guess, but the

BILL SIKES MURPHY—"DON'T I OWN YER?"



From the Albany Knickerbocker Press  
SHALL THE PEOPLE RULE?

evidence of men of position and scientific attainment. Having offered the position of head of the new Highways Department to several honest and competent men, I finally succeeded in having Mr. Carlisle's appointment confirmed.

### HONEST CONTRACTORS GET CHANCE

That means that hereafter the people of the State of New York will get not twenty-seven cents worth of actual money invested for every dollar of the people's money expended for good roads, as they have heretofore, but will get dollar for dollar; which means that not only the people themselves will have better roads, but the honest contractors will be able to compete for the construction.

It will also mean that roads constructed under my administration will last, and that there will be no repetition of such scandals as that of the road constructed in Warren county, which, finished in 1910, at a cost of \$56,000, was repaired in 1912 at a cost of \$52,000.

I want no greater monument to the efficiency and honesty of my administration than good roads honestly constructed.

When I became Governor I thought I did not have an enemy in the State. They tell me now I am one of the best hated men in the commonwealth. Of course I am hated. Is it any wonder? The honest folk remember, however, that every man in the State who hates me for doing my duty is an enemy of the State, and is denouncing me because I am for the general welfare and not for the special interests. If the grafters are against me I know the honest people are for me. There is some consolation in that conclusion.

## CHAPTER XVI.

GRAFT! GRAFT! GRAFT!

## ARTICLE III.

GRAFT IN THE PRISONS—MILLIONS OF DOLLARS WASTED ON FOOD ALONE—SING SING A CHAMBER OF HORRORS—CONVICTS ROBBED OF LIGHT AND AIR—DISEASE BREEDING CONDITIONS—SPECIAL TERRORS FOR WOMEN.

By WM. SULZER.

It has been said that the prison is one of the necessary accessories of civilization. Investigations running over a period of several months have shown to me that the prisons of the State of New York have been an accessory—but an accessory of graft!

Revelations that have come into my possession, not as mere hearsay but in the form of affidavits and testimony taken, go to show the conditions that have existed in New York State, have been—I do not hesitate to say it—even worse than those we associate with Libby Prison, Pentonville, Newgate and the mediaeval chambers of horrors of Venice and the latomies (quarries) associated with the name of Dionysius, tyrant of Syracuse.

My very fear in discussing the subject is not that the horror of it will lead me into exaggerating the terrible conditions, but that the desire to minimize the shocking

and revolting conditions may lead to too conservative a statement.

### SOME CRUELTIES STOPPED

Since my investigators have begun to report on this work there has been some amelioration of the conditions. No longer are men being driven insane as they were at Auburn, and so far as possible there is an end to the practice of throwing two men into a cell into which the light of the sun has not penetrated for eighty years, as was formerly the practice at Sing Sing.

But we will not be content with the amelioration of conditions. It is my purpose to see that officials who have committed the most inhuman of crimes shall be punished. For what greater inhumanity could there be than to take men who are afflicted with the disease of crime and through graft and neglect ruin their entire lives?

### ROTTEN FOOD SUBSTITUTED

The prisoners, in a way, are really part of the civilized hospital system. We have passed beyond the point at which we regard a criminal as anything but a diseased person. The State controls such unfortunates just as it takes the sick in order to care for them and if possible to cure them.

If we should learn to-day that in our hospitals the doctors, nurses and officials were substituting rotten and unwholesome victuals for the clean and healthy food provided by the State, what would be said? Yet we have learned that that is precisely what has been done in nearly all of our State prisons that we have investigated.

More than that, we discovered that in Sing Sing the sanitary conditions were so bad that a large percentage of the men sent to the prison left it the victims of

chronic rheumatism, in many cases incapacitated from ever again earning their own living.

### A DISEASE-BREEDING ATMOSPHERE

Surely even the Spanish Inquisition seems humane in the face of the recital of erstwhile respectable prisoners who, sentenced to prison for several years at hard work, find themselves located in the same cells with vile characters afflicted with loathsome diseases.

The most human of human writers was undoubtedly Charles Dickens. Nothing testifies to his great and humane mind more than his interest in the prison question. He studied prisons inside and out; he never went anywhere that he did not visit a prison.

His pictures of Newgate, the King's Prison, Fleet Prison, Marshalsea and even our own New York Tombs and the Philadelphia prison, in his "American Notes," have always lived in my memory as the finest testimonial and the best evidence of his desire to help the down-trodden and oppressed. Not even Howard, the pioneer of prison reform, has done more to bring about an understanding of the fact that, after all, men convicted of crimes are human beings, than did Charles Dickens.

### AS BAD AS IN DICKENS'S DAY

Wide interest in the study of penology and an interest in human methods of treatment have grown apace since he wrote, but New York State, apparently, under the administration of the recent superintendent of prisons, has brought back conditions as fearful as any that Dickens ever saw.

I cannot promise that there will be convictions of the men who are responsible for these outrages on society—for it is society that is eventually affected when criminals are made more criminal—but I can promise that every

effort will be made to put the men who were in charge of the prisons at the time—these men who were supposed to have “taken care” of the prisoners—into the very cells that have been found so vile and loathsome.

### THE BEGINNING OF REFORM

Perhaps, however, they will never know the real torture that they have inflicted upon others or suffered others to endure, for conditions in the worst prisons have been changing. A simple example of a change for the better is the fact that no longer in Great Meadow, a healthy outdoor prison, so to speak, are there two hundred vacant cells, while down in damp, rheumatic Sing Sing, a veritable pest hole, are prisoners doubled up, the men of the criminal and depraved class mixing indiscriminately with men who may yet become decent and valuable citizens.

I say “decent and valuable citizens” because it is an absolute fact that there are men who land in jail and yet whose lives up to the commission of that one crime were model and whose lives after they had left prison have been worthy of emulation.

In Sing Sing a short time ago was a talented man who had committed forgery, probably the first crime he had ever committed in his life, and undoubtedly, the fair-minded men who have talked to him say, the last crime he will commit. This man of unusual refinement and education, when he arrived at Sing Sing was put in a dark six-by-nine cell with an old thief who was afflicted with eleven different diseases.

This man was asked by Mr. Blake, who has been investigating the prisons for me, if the charge made by another prisoner was true—that charge being that a man who entered Sing Sing fifty per cent. bad left it a hundred per cent. bad.

“A man who enters Sing Sing prison fifty per cent.

bad," declared this talented prisoner, "leaves it putrescent."

### A CHAMBER OF HORRORS

Another victim in the same prison, a banker, declared that investigation would show in due time—he being very anxious to conceal his own identity—that New York State was maintaining in Sing Sing prison not a place in which to take care of criminals and to punish them, but, because of the lack of effort of the keepers to better the unsanitary conditions, a Chamber of Horrors where men were morally, mentally and physically ruined.

Naturally, the person to whom all this is new is inclined to believe that such conditions could not last long, and he will ask, "How is it that there have not been revelations before this?"

Therefore, as part of the system, it has been styled in New York State the "Prison Ring."

### KEPT SILENT BY PAROLE LAW

Less influential prisoners, who are looking for paroles, although they know something of the horrors of the prison, are not courageous enough, after such experiences, to speak out, especially in view of the fact that the parole—the purpose of which is to keep a prisoner good—acts effectively in keeping him silent. For instance, say, the prisoner is sentenced for from two to four years. If he is released at the end of two years on parole he can be brought back at any time when, in the opinion of the officers, he is not living a proper life. This simply serves to close his mouth as a means of information as to the conditions inside and makes him often seem to be the ardent defender of the tyrannous management of the prisons.

In addition to these conditions there is no doubt that pardons and commutations have been sold to those men

who had money or who had friends who were willing to buy them free. But of that it might almost be said that it was the most humane form of graft that was discovered.

How much this graft amounts to in the prisons it is not possible to calculate yet, but a moderate estimate would seem to point to the fact that in ten years a million dollars has been wasted on food alone in the five prisons of New York State.

### A CRIMINAL WASTE

At Sing Sing we found that one thousand pounds of food was thrown away every day. This food consisted of hamburg steak, vegetable soup, boiled potatoes, bread and coffee. From one day's breakfast alone the waste weighed 625 pounds. Then suspecting that this supervision of the waste was to continue, some care was exercised, so that the waste from the following day's breakfast was only 200 pounds. This proved that the waste was wanton and that only indifferent care could have reduced it at least two-thirds.

This waste runs all through the prison. Sixteen hundred pounds of potatoes weigh only 1,100 pounds after they were pared. The keeper was asked why this was done, and he declared that he knew nothing about it, had never heard of it before, and did not even seem to think there was anything criminal or unusual in it.

### BAD MEAT SERVED

While the very best kind of meat was delivered, according to the bills and receipts at the prison, it was a fact proved by unquestioned testimony that bad meat was served to the prisoners. Who got the good meat and who substituted the bad meat is a question we are yet to answer.

Interesting as an example of the way in which Sing

Sing prison was run is the fact that in one month, while 16,232 pounds of beef were bought, 1,179 pounds could not be accounted for until the warden happened to think this must have disappeared as "shrinkage." Interesting, too, is the fact that 469 pounds of beef were served in that month to the warden's family alone, while the entire night force of the prison only got 192 pounds during the same time.

It would seem that in these modern times, when even among the most ignorant there is a proper regard for the value of light and air, the men in charge of a State institution would see that a sufficient amount of these two necessities to life be given to the inmates of that institution.

### THE BLIGHT OF POLITICS

But no. Enter politics, and it is decreed that the amount of light and air that the prisoners receive a week is cut down one-seventh.

To spend the night in a dark, damp and dirty cell of Sing Sing is horror enough and can only be appreciated by those who have witnessed the conditions.

On Sundays and holidays, up to a short time ago, it was the humane practice to allow the men the greater part of the day in the open air, but this was done away with upon the pretense that it deprived the keepers of their Sunday holiday, with the consequence that the prisoners now, barring a few hours in the morning, spend Sunday and other holidays in cells, and come out on Monday morning pale and staggering and unfit for work.

### "SYSTEM" HELD RESPONSIBLE

Intelligent citizens who have never seen at close range a corrupt political oligarchy working will ask how can

these things be; how can men, granted that they are as inhuman as the conditions suggest, be so apparently indifferent to the wrath of the community which they must realize will come with the discovery of their turpitude. The answer is in the system. If the head of the prison system is known to be indifferent to what is going on, or is himself grafting, it is natural that the men appointed by him, even if they are his own selection, and are not those of the political boss, will be indifferent or grafters also.

With each step downward the indifference and grafting, while it may not be any greater than it is at the top, becomes harder on the prisoners, for it comes nearer to them.

The man at the top who is making dishonest money in large sums through his contracts will probably be kind to the prisoners when he sees them or happens to think of them. The man under him will have no desire to treat them unkindly so long as he gets his share of the graft in the particular line of thievery that he has chosen as his own field. By the time the stealing gets down to the man who is directly over the prisoners there is comparatively little left for that individual, and he makes up for his shortage by grafting in time and treatment—in other words, his attention is concentrated not so much on doing his duty as on avoiding it. The State suffers, and God help the poor prisoners that come under him.

#### A CONCRETE EXAMPLE

Here is a concrete example of how the system works: In Auburn prison we discovered that the State had been supporting a number of fine horses and vehicles for the pleasure of the warden, a thoroughly useless extravagance and an impudent one if looked at in the right way. In this same prison we found the worst forms of brutality, waste and general incompetency. Twenty-

eight prisoners have become insane during the past twelve months. The testimony of trustworthy witnesses indicates that cruel punishment deprived some of these prisoners of their reason. We found that not only was the prison doctor careless and unfeeling, but that he had repeatedly refused to attend women in confinement, there being women as well as men in this prison.

Probably the most subtly horrible thing in connection with these prison discoveries was that of leaving the women prisoners who were about to be confined to the mercies of a midwife who was in prison for complicity in a brutal murder.

#### TELLS OF TERRORS FOR WOMEN

"Although the female prisoners are bad women," said my investigator, George W. Blake, "no man with a humane feeling or imagination can fail to realize the terror of a woman lying in childbed and being attended in the dim watches of the night by a murderer."

With other chapters in this disgraceful story of the criminal neglect of these unfortunate wards of society so horrible that they will never be written, I can only say that as rapidly as conditions permit they are being remedied. In the time when there were two hundred and twenty-three capital offenses in England, Judge Heath said that there was no hope of saving a felon in this life, and that the sooner he was hanged and sent into the next world the sooner his problem was solved.

That day has passed, and even if we do not put all of the humanitarian ideas into active practice, we are very indignant when we find that some one else has violated them. But not until our prisons, and our entire State government, for that matter, are beyond the greedy clutch of the political boss will it be possible to say that our protestations of progress are anything but a mockery.

## CHAPTER XVII.

### ARTICLE IV.

#### GRAFT! GRAFT! GRAFT!

**GRAFT IN THE LEGISLATURE EXPOSED—INSIDE DETAILS OF THE CASE OF SENATOR STILWELL—DAY OF THE BIG BOSS PASSING—CROOKED WORK AMONG LAW-MAKERS NEARLY ALL DONE IN COMMITTEES—LEGISLATION SOLD.**

By Wm. Sulzer.

All over this country there are thousands of young men who are anxious to go into the Legislature of their various States. They are actuated by patriotic motives and praiseworthy ambition. There is, indeed, no finer ambition than that of the young man who seeks in an honorable way to participate in the making of the laws of his State. There was a time when all of these thousands of young men could have achieved their ambition only by sacrificing part of the patriotic impulse—by sacrificing their own character and appealing to the political boss to make them legislators, knowing that in turn they could only legislate as was agreeable to the boss.

That day is passing, and with it is passing the crooked legislator; with it is passing the legislator who is responsive to the will of the boss and not to the will of the people. With it is passing the legislator who thinks that he has answered the great throbbing interest that the people are taking in political questions when he mock-

ingly pronounces the word "people" as if it were spelled p-e-e-p-u-l.

## A LESSON AND A WARNING

Perhaps on this one point I am unduly sensitive, inasmuch as during my eighteen years' fight in Congress for such measures as the direct election of United States Senators by the people, and the establishment of a Department of Labor, the most biting, smashing and demolishing criticism that the opponents of these and other popular measures could make was to pronounce "people" "peepul!"

The case of Stilwell in the State of New York, coming so soon after the ejection of another Senator, Jotham P. Allds, is one of the most interesting signs of progress that we can point out. It is at once a lesson and a warning to the crooked legislators throughout the country, and is more; it is a mountain of encouragement to the people who are fighting the battle of honest politics in every village of this Nation.

It is with some reluctance that I have agreed to talk about the case of Stilwell and to tell for the first time the real facts as to how this legislator, who was one of the bitterest opponents of our bill for direct nominations, came to pass out of the Legislature where he represented an order of things that is happily passing away, despite the apparent strength of the party bosses at the present time. Their strength, however, is only apparent—it is not real.

## GIVEN A CHANCE TO RESIGN

It is necessary to recall and to emphasize the fact that only a few months ago Stilwell was an influential member of the New York State Senate and was chairman of one of its most important committees, the

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Committee on Codes. To-day he is a convicted felon, sentenced to from four to eight years in State prison for having solicited a bribe.

I must recall here what is not generally known, that the moment I first knew of the charges against Stilwell I sent for him saying, "If I were you I would go upstairs and resign."

I must also recall here that when the charges were made against him to the State Senate and were being investigated by the Judiciary Committee, Senator after Senator pleaded for him on the ground that nothing was proven against him. I must recall here that when the Senate had exonerated him by a vote of 28 to 21—due largely to the orders of the political bosses—I was urged by his friends not to take any further action in the matter, although I insisted that it was my duty as Governor of the State of New York, knowing as I did that the man had been guilty of criminal conduct, to see that he was punished; and on that belief and on that knowledge I presented to the District Attorney of the county of New York such information as I had in my possession and asked him to bring the matter before the Grand Jury.

### FOUND NO EASY TASK.

When I became Governor I declared I would do all in my power to give the people honest government, and drive out every graftor in the State. It is no easy task. In my efforts to do right I am having all the trouble any man wants. Every boss in the State is throwing mud at me. Every crook is denouncing me. But I am going ahead with the fight for better things in our public life.

I restate these facts in order that the public may appreciate the great difficulties that will always be encountered in trying to prosecute criminals of the highest class. If a poor woman steals from a push-cart there do not

spring up on all sides people interested in clogging the wheels of justice and in protecting her. She is found guilty immediately, though perhaps charity, may mitigate her punishment somewhat. If some poor, miserable, half-starved lawyer does a wrong thing, the road between the deed and the punishment is a speedy and certain one, but when a State Senator, a man charged with almost sacred duties, sworn to the highest obligations, commits a crime, on all sides he will find protectors and defenders!

I emphasize this latter phase of the situation because I wish to particularly inspire those thousands of young men throughout the country who would be legislators with the thought that honesty and courage are more essential in public life than any two other qualities of which I know. I would stir their blood by a plain recital of the facts, that from a mild ambition to enter public life, they should become crusaders for good, honest, decent government.

#### TELLS OF KENDALL'S COMPLAINT

In New York City there are two bank note companies, the president of one of these bank note companies being a man by the name of George H. Kendall, whom I have found to be an honorable man. He came to me complaining that he suffered from a monopoly exercised by the other bank note company and seeking relief. He asked if a bill could not be introduced in the Legislature that would prohibit the monopoly that he said existed. Such a bill would come as an amendment to the civil code of the State of New York, and I therefore advised him to go to Senator Stilwell about the matter.

I did not hear of it again until I received a wire from Mr. Kendall in which he charged that Senator Stilwell

had threatened to hold the bill in his committee unless he was paid a sum of money.

Of course I was shocked. I had known Stilwell for several years and, though like others I had heard many things about him that were not particularly to his credit, I had never observed anything that would indicate that he was dishonest. When I found out that Stilwell was the representative of political corruption, the real facts came as a shock, strangely out of keeping with what the public thinks it knows about a man, who is suddenly revealed as the agent of the interests, as the assiduous and willing servant of some financial giant.

However, I acted promptly. I wired Mr. Kendall to come to Albany at once. He did; and then told me the story of his experience with Stilwell, a story of as brazen an attempt to steal as I had ever heard.

### LEGISLATION BOUGHT AND SOLD

Every detail of that story has since been borne out despite the endeavors of political bosses, crafty lawyers and the accomplices of Stilwell to discredit Mr. Kendall. It is a story that is interesting not only because it resulted in the successful prosecution of a State Senator, but because it shows how legislation is bought and sold by men who enter the Legislature for their own personal gain.

In a way Stilwell's method of trying to sell legislation was old-fashioned. In the days of boodle lobbyists, the legislators were bought and sold by the large corporations through their own agents, generally located in the very halls of the Legislature. In later days corrupt corporations, improving their methods always, encouraged the development of the boss because in that way there was less fear of discovery and disclosure. In still later times instead of corrupt corporations dealing directly with the boss, the boss has a discredited agent, a man whose word,

if he should prove treacherous, would never be believed, and through this discredited and corrupt agent the deals are made by which legislators are bought and sold.

### "DID LEGISLATORS GET ANY OF IT?"

"Did the legislators get any of it," is a frequent question, "or does the boss hold all of it?" It is not an easy question to answer. In Stilwell's case he was undoubtedly out "on his own hook." He used the fact that I had sent Mr. Kendall to him as an evidence of his importance and his power. His very first act in connection with the bill was graft, inasmuch as he took Mr. Kendall in tow and told him it would cost him \$250 to have the bill drafted, a bit of petty grafting in itself. Shortly after the bill was drafted Stilwell had Kendall come to his office and there told him that it would cost \$500 for each of the four code committeemen in order for him to get the bill out of the committee. Kendall, who had had some experience in legislation, immediately protested that this would mean that the bill would get out of the Senate committee, whereas there was still the Assembly committee to think of. Stilwell said he would look up the Assembly committee, and that the next day he would let Kendall know how much it would cost to get the bill out of that committee. It was there he fell, for, strange as it may seem that a man as crafty as Stilwell, should have been so foolish, for he actually wired to Kendall "Fifteen is the right number," meaning that \$1,500 would have to be paid in addition to the \$2,000 that he had already demanded for the Senate committee.

### CLERK FORCED TO RESIGN

Mr. Kendall had accumulated undoubtedly strong evidence and he had brought most of it in documentary form with him to Albany. I listened to his story in

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amazement. I heard also to my surprise that several days before he had taken the matter to Senator Wagner, and that Senator Wagner, the Democratic leader, had forced the clerk whom Stilwell had used in the bill drafting room to resign, but that otherwise nothing had been done.

I immediately sent upstairs for Stilwell to come down —the legislative halls being on the third floor of the Capitol, whereas the Executive Chamber is on the second floor. The moment Stilwell entered the room and saw me talking to Mr. Kendall the expression on his face was sufficient to have convicted him of the charge. He braced himself, however, and walked toward my desk with an ugly expression on his face but ill-concealing his guilt.

"Senator," I said, "you know Mr. Kendall?"

"I do," he replied.

"Then," I said, "you probably know what Mr. Kendall has told me, and if what he says is true, you had better go up stairs and hand in your resignation."

"I can explain," he said, "the matter he complains of to my satisfaction."

### "DISGRACE TO THE STATE"

"You may be able to explain it to your own satisfaction," I said, "but you cannot explain it to my satisfaction. You are a disgrace to the State."

I immediately told Mr. Kendall to tell the entire matter to the press, some of Stilwell's friends protesting that the matter should be treated quietly, as it would "hurt the party." One particular Senator who sometimes poses as a reformer pretested to me that I was splitting the party in two.

"That is true," I replied, "but I shall have all the grafters on one side, and all the honest men on the other.

The so-called reformers who like to be on both sides will have to declare themselves."

As the result of the exposure Stilwell was forced by the advice of his friends to ask for an investigation, in which he said that as a matter of justice he wished to be either "vindicated" or "branded."

What Stilwell counted on and apparently counted on successfully was, no matter how guilty he might be, he was sure that the bosses would aid him, and that hence enough men in the Senate would stand by him to let him escape.

### BLOW STRUCK AT PRESTIGE

In justice to the members of the Judiciary Committee who heard the charges against him it must be pointed out that the majority of those members, when it came to voting as to his guilt or innocence, voted that he was guilty. But possibly no greater blow at the prestige of a legislative body has ever been struck than that administered by the New York State Senate to its own influence and character when it voted, by a vote of 28 to 21, that Stilwell was not guilty. A few weeks later the "vindicated" Senator was indicted by the Grand Jury of New York and three weeks later he was sentenced to prison.

His friends tried to save him. The political bosses did all they could for him, but their efforts in the last analysis did not save Stilwell. His conviction has done much to purify the political atmosphere of the State of New York.

In the course of the disclosures in connection with the Stilwell case there came to light a splendid example of the way the invisible government has superseded the representative government. And incidentally this little cross-section of the methods by which the bosses make a mockery of popular election ought to be used in every

State in the Union to help in the much needed reform of "committee rule."

### HIS FAITH PINNED TO "SYSTEM"

Stilwell, as I have said, was chairman of the Senate Committee on Codes, a most important committee, as even the layman will appreciate, from the fact that all of the legislation affecting the New York Stock Exchange was referred to it. When he was dealing with Kendall he used as his excuses for demanding money the alleged fact that the other members of the committee would not report the bill out of the committee unless they were bribed.

The fact is, and the unfortunate part of this condition is that it is also true of other and even more important committees, that Stilwell when he decided to pass the bill out of the committee did not even go through the form of asking his fellow committeemen's consent.

I do not accuse the other Senators who were on Stilwell's committee of being criminally complacent, because many of them afterward voted to expel him, but there is no doubt that he counted on the system, by which the chairman of a committee is allowed too much power, to enable him to cloak up his movements.

The crooked work in Legislatures is all, or nearly all, done in committees. People who take an intelligent interest in public affairs think that they have made a great step when they have the public watching the legislature. They have, but a greater step will have been made when they have the public keeping the spotlight on legislative committees and particularly the chairman.

For immediately behind the chairman of the committee will be found the Big Boss.

## CHAPTER XVIII.

**GRAFT! GRAFT! GRAFT!**

## ARTICLE V.

**WAR WITH MURPHY—DIRECT NOMINATIONS  
WOULD KILL BOSSISM—MURPHY'S  
THREAT "I'LL HAVE YOU OUT IN SIX  
WEEKS"—HOW TAMMANY AIMED TO AC-  
COMPLISH GOVERNOR'S RUIN, UNLESS  
HE WOULD BE A MERE FIGUREHEAD.**

By Wm. Sulzer.

During the last campaign they tell me I spoke to more people than any other candidate for office in all the history of the State. I told the people simple truths from the bottom of my heart. Many doubted the sincerity of my campaign speeches, but there was one man who never doubted the sincerity of those speeches, and that was the man who is now the Governor of the State.

It is all very simple to me, because I am a simple man. I am just the same to-day as I was in the Legislature a quarter of a century ago. I am just the same to-day as I was in Congress. I haven't changed. I don't intend to change. Others have changed, and if the fight is on it is their fault, and not mine.

I am not working for the bosses. I am working for the people. I want to do something for my fellow man. I know, in the last analysis, that when the future his-

torian pens the records of my administration I will be judged by what I have accomplished.

I am trying to do things. Not for myself, but to do things for all the people. Do you think it is easy? If you only knew how I am threatened; if you only knew the obstacles that are put in my way; if you only knew how discouraging it is at times, every honest citizen in the State would be with me in the fight for the right.

#### UNPREPARED FOR THE STRUGGLE

When I took office no one was so little prepared for the struggle that was to come as I was, for I assumed that the right of the Governor to act as his conscience dictated was conceded everywhere, even by the least intelligent of bosses. I was then, as I am now, a Democrat, and I had fought with more or less conspicuousness in the State Assembly, and in Congress for Democratic and patriotic measures until I assumed that any one who knew anything at all about politics knew that I had my own views of duty, and that I had never run away or never "trimmed." Surely there was nothing in my long fight in Congress for such measures as the income tax, and the direct election of United States Senators, to indicate that I was of the subservient type of politician.

And, incidentally, I had had some experience with bosses. I had fought with Kelly, the successor to Tweed, and I had won. I had differed with Croker and I had won. I had defied Murphy himself when orders were sent to Washington for me to vote for Cannon. But apparently he had forgotten that when, a few days after I was inaugurated in office, the great boss-run machine started to grind out offices for Murphy and orders for me.

## A MERE FIGUREHEAD

Apparently all that I was suffered to do was to supply the oil, start the clock, say "Yes, sir," in the morning and "Yes, sir," at night. There was no objection to my making speeches—the bosses' minions explained to one another that this was a habit of mine—annoying in some instances, but on the whole one to be tolerated as not really very harmful.

Then slowly came the realization that I was in earnest, that I really meant to carry out the party pledges, and that I really meant to hunt down and prosecute the grafters. And with that realization came blind rage, and finally a determination not only to annoy and harass me but to absolutely ruin me if possible. And now it is an open battle with the bosses.

## UNITED AGAINST REFORM

But I am fully determined that no Tammany attack on me shall interfere in the slightest with the discharge of my duty to the people who elected me. I realize that Murphy is making war on me.

All winter I appealed to the members of the Legislature to carry out the promises of the Syracuse platform. I wanted them to keep faith with the voters. I wanted them to help me write on the statute books what the Democratic party promised—a Direct Primary law State-wide in its scope. They refused to do it.

Then I sent a special message to the Legislature, telling the members exactly what we ought to do about it. They answered that special message by sending me an abortive bill known as the Blauvelt bill, to make matters worse instead of better. I vetoed it in language that could not be misunderstood. I then sent them a real Direct Primary bill. They beat it. How did they beat it?

First, the Democrats caucused against it. Then the

Republicans caucused against it. The two great political parties caucused to defeat this bill of the people. I am a pretty good parliamentarian. I have studied parliamentary law for a quarter of a century. I have searched through precedents, and in all the history of parliamentary government this was the only time when two political parties caucused to beat the same bill.

Do you suppose the members of the Legislature beat our Direct Primaries bill of their own free will and accord? Certainly not. The Democratic members got their orders from Murphy over the telephone in Delmonico's, and the Republicans got their orders from Mr. Barnes up here in Albany. These orders beat the bill.

What a spectacle of representative government? What an indictment of free institutions! What shall we say when a boss in one part of the State and a boss in another part of the State compel the members of the Legislature to caucus to beat a bill these very members were pledged to enact? There was never anything like it in all the history of our State, and I trust after another election there will never be anything like it again.

I am not going to let Murphy divert public attention from the real issue. That issue is direct nominations, the one weapon which will enable the people to dispose of the bosses forever. With direct nominations the fight will be easy. My fight is the pioneer fight, the hard fight, the fight to spike the enemies' guns so that the people can carry their breastworks. And I am in it to win.

I know how powerful they are and how resourceful they are. The manner and method of their attacks on me is a matter of public knowledge.

#### DETERMINED TO BE GOVERNOR

How did it all come about? Simply because I was

determined that I would be the Governor of this State, and keep the capital at Albany and not at Delmonico's

That is where the government of this State proceeded from for the two years prior to the time the people put me in office—Delmonico's, with Murphy sitting there surrounded by his henchmen and sending men big enough to know better, as messengers on his errands.

Here are some of the things I was first asked, then begged and finally ordered to do by the boss, and by the boss I mean Charles F. Murphy, the present leader of Tammany Hall, and the arrogant ruler of little satraps like Packey McCabe in Albany.

First, I was told to let direct nominations alone, except that I was to sign the abortive Blauvelt bill. My answer was to write a veto to the Blauvelt bill, and to draw, and cause to be introduced, a direct primary measure that was a bill and not a travesty on a bill.

Then I was asked to appoint "The" McManus, the Murphy leader of a Murphy West Side district, Labor Commissioner. Murphy was insistent on that, making demand after demand. My answer was to appoint Mr. Lynch, when Mike Walsh, another Murphy leader "framed" the Legislature so that the nomination of John Mitchell, the best fitted man for the position possible to imagine, had been rejected by Murphy's Senate.

Then followed a demand for the nomination of George Palmer, the organization State chairman, and the letter-copying Packey McCabe as Public Service Commissioners, positions which ought to be kept absolutely free from politics of any kind.

My answer was to appoint two qualified men for these positions. The emissaries of the boss first came to me with intimations of Murphy's ideas, the kind of thing that has influenced the actions of public officials. When I ignored these intimations they changed their tactics and used soft soap.

## A TEMPTING BAIT

Murphy seemed to think that William Sulzer was easily won over by specious promises. I was told that the organization controlled absolutely the party in the State, and that it could control the organizations in many other States in the next three years. All I had to do, according to these promisers, was to sit tight, do what the boss told me like a nice Governor and be given the nomination for the Presidency of the United States, a great office and one worthy of any man's ambition.

My answer to that was that I have reached the climax of my political career, and that my only desire was to serve the people for two years, put the State Government on an honest, efficient and economical basis, and retire at the end of my term to a little farm where I can spend the rest of my days and be the friend of man.

Discovering that promises worked no more on me than hints, they suddenly became aggressive. They tried bulldozing and bludgeoning, which they kept up till it proved as futile as any of their other attempts on my honor.

On April 13 I met Mr. Murphy for the last time in New York. I had been previously prepared by his messengers for threats, and I was not surprised when they came, couched in the only language Murphy knows how to speak.

After I had definitely refused to do any of the things he wanted me to do he said: "In six weeks I will have you out of office." Well, the six weeks are more than passed, and I am still the fighting Governor of New York.

I know that this is no little fight. I know that they will stop at nothing, and that they have great power. But I also know something about the power of an honest man determined to do right.

What influenced the bosses above all things to destroy me was that I insisted on direct nominations, and in prosecuting the grafters. It never occurred

to me that when I proposed to fulfill the promise made in the Democratic State platform, in the Progressive State platform and in the Republican State platform, I would encounter such a bitter and stubborn resistance as was presented. Though I knew the bosses were opposed to direct nominations I believed that when the sentiment of the people on this question was manifested the bosses would yield. Intelligent bosses in some cases have surrendered to public sentiment in such overwhelming force, as it exists in favor of popular primaries in New York. In Pennsylvania Boss Penrose favored the very bill which in New York Bosses Murphy and Barnes are still fighting tooth and nail. Mr. Penrose has to go before the people for re-election to the United States Senate. He made up his mind that he would have a better chance of re-election if he got his nomination from the Republicans of the State directly in a primary than if he went to the voters on election day with the nomination of a State convention. So the other day Governor Tener signed the bill, copied from the measure known as the Sulzer bill, and thus Pennsylvania became the fortieth State out of forty-eight to adopt direct-nominations.

#### A GRATIFYING RESPONSE

I made a tour of the State after the bosses had beaten direct nominations in the regular session of the Legislature to appeal to the people for their active influence on legislators who had defaulted on their promise of State-wide direct nominations. The response to my appeal was beyond all I had expected. Although amateurs in politics planned the meetings, and they were often held in halls not adapted to such a purpose, there were large crowds everywhere, in many cases too big for all to gain entrance. This was a revelation to me. A mid-summer

political campaign which aroused nearly as much interest as in a Presidential year, in October, proved beyond a doubt that the people would back me up overwhelmingly.

That trip heartened me immensely, but at the same time it fanned to white heat the hatred of the bosses, and it increased the venom of the agents of "invisible government."

It was while I was telling the people the truth about direct nominations that the scavengers of Fourteenth Street began to dig into the swill barrels for filth to throw at me. All the while on the stump I had shunned personalities.

I did not go into the private lives of the bosses for scurrilous matter, though I imagine if any one wanted to employ private detectives on such foul business as that he could get enough to make the whole State hold its nose. I wanted to fight fair, to hit all my blows above the belt, and stick to the issue in a dignified way. But the bosses could not endure a stand-up fight. It had been the pride, in the past of Tammany that it chose bosses who, whatever else they might be would not hit below the belt, and would not squeal when they were hard hit. The State soon beheld the spectacle of the boss wincing under the lash of public rebuke, and, striking with weapons which decent men scorn to use.

The more it was proved the people were behind me for direct nominations the more the bosses wanted to destroy me. In every possible way they publicly confessed that they did not dare to face the very voters for whom they pretended to act. In several instances members of the Legislature who sought to reply to me at public meetings were actually hooted out of the hall, and I could not obtain a hearing for them. The voters saw there was only one side to the argument—their side. They asked hostile legislators how they were going to vote at the extra session, and if they didn't say "for the Sulzer bill"

the meetings broke up in disorder and the poor legislators could not defend themselves.

### RESORT TO FORGERY

The public would be amazed if they knew to what lengths the bosses went in their determination to destroy the Governor who was trying to take away from them the power to nominate candidates and give it over to the people.

One instance will give some idea of the desperation of the bosses. A Brooklyn member who voted against direct nominations went back home after the regular session and sent out return postal cards to twenty-five hundred voters of his district, asking how they stood. He reported that nearly three-quarters of the answers were against the Sulzer bill. A Brooklyn newspaper challenging the returns, the assemblyman exhibited them. The newspaper reported that seventeen hundred of the cards recording voters against direct nominations had been written by the same hand. Upon this discovery that he had been hookwinked, the legislator announced that in the extra session he would vote for the Sulzer bill.

On the day the bill came up another member received a telegram from his leader telling him to vote "No." Orders were orders to him. He voted "No." When he got back the leader berated him for voting wrong. "But your telegram?" gasped the bewildered member. "I sent no telegram," the leader declared.

Forgery may have played a larger part in the defeat of direct nominations, at the extra session, than we know.

I told the people when the direct nominations bill was beaten that the fight had only just begun. That is another promise I shall keep if the people's enemies do not remove me when they find they cannot scare me off with their stinkpots. We shall go into every Assembly district this autumn to oppose, without regard to

politics, every member who refuses to bind himself in black and white to genuine direct nominations. We are organizing all over the State, and beyond any doubt in my mind when we get through the Assembly will be for direct nominations by a majority so large that the State Senate must take heed.

## CHAPTER XIX.

### MURPHY'S WAR ON GOV. SULZER IN LIGHT OF ACTUAL DEVELOPMENTS

MURPHY'S DECISION TO UNDERMINE GOVERNOR CAME IMMEDIATELY AFTER SULZER WAS SWORN IN.

CHRONOLOGICAL ORDER OF EVENTS TO IMPEACHMENT CLIMAX REVEALS SYSTEMATIC PLAN TO DESTROY GOVERNOR.

To a looker-on about this time the best way to tell why a reaction has set in against the bosses all over the state is to make a cold analysis of the acts of Sulzer and Murphy since the beginning from a simple inventory of those acts.

There is a popular belief that the rupture between the Boss and the Governor began on March 18, when, after a stormy interview at the home of Charles F. Murphy, the governor of New York took his leave with the Boss's threat to destroy him ringing in his ears.

#### THE INITIAL ACT

That is only a superstition. Murphy's resolve was formed long before that. It was on the day after Sulzer had taken the oath of office. The governor sat in the corner of the big room, and quietly remarked that he was the State Democratic leader, and that any one who challenged his leadership could come out in the open and fight.

Thousands of New Yorkers thought that was a Sulzer

play to the gallery. Among those who did not think so was Charles F. Murphy. But the Boss did not accept the challenge to come out in the open. That is not the way Tammany chieftains fight their battles.

### PLANS TO UNDERMINE HIM

Murphy's vanity had been hurt, and his lust for power was in danger of being no longer gratified. But he choked down his emotions and prepared to undermine Sulzer. When Justice McCall was appointed public service commissioner and John H. Delaney was chosen commissioner of efficiency and economy the governor had been so deceived by Boss Murphy's attitude that he thought his leadership had not been challenged. For while McCall and Delaney pretended early and late to be Sulzer's friends, Murphy knew he could count on them when it came to open war.

Sulzer, with "innocent rusticity," went on from McCall and Delaney to straightout Sulzer appointments and still Murphy did not draw the long knife. He just held up sure Sulzer appointments.

Everything that the Boss let Sulzer get was to be a help to the governor's undoing. The interests that did not want the Labor department reorganized would fall in line against Sulzer for what he did about that business, and Murphy would protect them by beating John Mitchell or any other labor representative for commissioner.

### SULZER MAKES FOES

And so the very things that Sulzer was doing for the public good would make him a host of powerful enemies. From Wall Street there would be hostility because he enacted legislation against the Stock Exchange. The potent ring of highways and canal contractors, whose

crimes were on the way to exposure, would come out thirsting for his blood. Tammany itself, with its vast ramifications throughout the state, would bring all its resources savagely to the attack.

The Boss let Sulzer dream until the time came. It is hard to believe that the demands made on the governor by Murphy at their farewell midnight meeting were put forth with the slightest thought that the enemy would surrender. These impossible demands were deliberately made by the Boss because the time had come to strike, and the executioner was ready.

#### THE FINAL MEETING

These were some of the things Murphy insisted on: The appointment of "Mike" Mulqueen to a Supreme Court judgeship, "The" McManus to be labor commissioner, a quack doctor for health commissioner, Kennedy for superintendent of prisons (the warden who was indicted for the Sing Sing business), and Palmer and McCabe for public service commissioners. The withdrawal of Sulzer's demand for the expulsion of Stilwell from the Senate. Abandonment of direct nominations.

And he carefully insulted the Governor by questioning that he, Sulzer, had lived on \$1,500 a year when he was a member of the Assembly. This was when Murphy was justifying Stilwell with the generous excuse that the senator, like some others, could not live at Albany on his salary from the State and was entitled to make a little money "on the side."

After this final break the machine went to work to grind out the fate of Sulzer. He had defied the organization by daring to make his own appointments. "I ought to have known better than to nominate you," said Murphy, ruefully, "without getting promises in the presence of witnesses."

"You could not have made me give you promises," hotly retorted Sulzer. "You say you will destroy me. You cannot destroy me. I can destroy myself, as Dix did, by doing what you want me to do."

Then came the famous conference at Delmonico's, where ways and means were canvassed to take the political life of the governor who would not give up his office to Murphy and the organization.

"They made up their minds," the governor told a friend, "that I was the most dangerous man who had ever stepped in the path of predatory wealth and prostituted statesmanship. They had to 'get me.' They wanted to get me 'with the goods,' but they were sworn to 'get me' at all hazards."

When the framed-up Vermont perjury charges turned out to be based on forgery they did not stop going after Sulzer. The bosses would not give up.

Sulzer knew these charges were going to be sprung when he said he would face them. He knew all about the campaign fund business. That did not hinder him from defying Murphy. "You do your worst," he said. "I'll go on doing my best."

Naturally Murphy could not halt in his enterprise once he had started. Too much had been risked. Hennessy was burrowing away on the highways, the canals and the other hidden plunder. If Sulzer were not smashed men would go to jail; and maybe in the tracing of the loot the trail would run very high up. So if Murphy could hold the votes in the Legislature, Sulzer had to be destroyed.

Murphy had them. Powerful engines were set to work in the last supreme effort. The boss, sitting at the telephone, gave orders here, there and everywhere to whip and terrify wavering assemblymen into line. He had to call on some of Barnes's men, and these did not fail him.

## AN INVENTORY OF THE SULZER-MURPHY WAR.

### WHAT MURPHY BLOCKED.

Direct nominations.

Reorganization of the Public Service Commission.

Holding up Sulzer appointments.

Efficient administration of the Department of Labor by refusing to let the Senate confirm John Mitchell.

Necessary expenditures in the investigation of highways, canal and other contract frauds, by holding up appropriations in the legislature, and by refusing executive vouchers in Tammany comptroller's office.

Defeating the choice of a new health commissioner to give effect to the modern health law.

Defeating reorganization of the State Banking Department.

Defeating highway contracts approved by the Commissioner for badly needed road construction.

Defeating appointments of various men who had not been indorsed by Tammany.

### WHAT MURPHY DID

Insisted that he was state leader and demanded the patronage, even in the few counties where the Democratic organization was anti-Murphy.

Threatened to "destroy" Sulzer if he did not surrender his title to state leadership to the leader of Tammany.

Called a conference of Democrats in Delmonico's and began to inspire attacks on the private life of the governor.

Created the Frawley committee to offset the revelations of graft under two years of Tammany rule of the State.

Gave orders to "vindicate" Senator Stilwell.

Caused his lieutenants to investigate Sulzer, and bring impeachment proceedings, as he had threatened to do when Sulzer refused to submit to his demands.

Used pressure to compel the Assembly to vote the impeachment.

### WHAT SULZER DID

Proclaimed early in his administration that his election made him state leader of the Democratic party, and invited any one who challenged his leadership to come out in the open and fight.

Vetoed the Blauvelt direct primary bill, on the ground that it did not carry out the pledges of the Democratic platform, and insisted on the enactment of a thorough-going direct nomination law. Went all over the state denouncing the bosses for blocking primary reform.

Called the legislature in extraordinary session to enact a primary law.

Appointed Blake and Hennessy to investigate frauds in various departments. Obtained proofs of graft in state capitol contracts. E. W. Hoefer, state architect, forced out.

Gigantic frauds in contracts for highways discovered, resulting in indictments and the removal from office of Tammany men who had conspired with contractors to plunder the state of millions.

Investigation of frauds in canal construction.

Proved through the Hennessy investigation that one of Sulzer's own appointees, John H. Delaney, was using the newly created Department of Efficiency and Economy to support the Murphy machine. This department was created by the efforts of Gov. Sulzer to put the chaotic

and slovenly departmental systems of the state on a scientific basis, and was the result of an investigation by the commission of inquiry, which he appointed early in his term, to eliminate typical Tammany methods in public office.

Caused the reorganization of the Department of Labor, with provisions meant to better the conditions of labor throughout the state, to conserve the health and protect the lives of workers.

Appointed a sanitary commission, the result of which was a law reorganizing the State Health Department, and making it possible to substitute up-to-date scientific methods for an archaic scheme.

Vetoed \$8,000,000 appropriations, which cut off such graft as the state printing contracts and the padding of payrolls for the support of an army of Tammany idlers.

Appointed George W. Blake to investigate the state prisons, found shocking conditions and frauds in the contracts, obtained indictments, and conditions at Sing Sing and Great Meadow prisons were shown to be so horrible that the legislature was asked to order the building of a new penitentiary.

Caused the passage of the Stock Exchange bills to regulate speculation in stocks in the interests of investors.

Demanded the resignation of Senator Stilwell, upon proof that he had demanded a bribe for his influence in favor of a bill, and brought about the imprisonment of the senator after the legislature had whitewashed the guilty legislator.

Refused Murphy's demands for the appointment of James E. Gaffney, Murphy's contracting partner, to be commissioner of highways, in charge of the expenditure of the new \$50,000,000 appropriation.

Declined to appoint "The" McManus as commissioner of labor on the demand of Murphy, and rejected his

recommendations of other Tammany favorites for important state offices.

Took advice about appointments of experts in various administrative offices from leading members of their profession, instead of from Tammany leaders.

Vetoed a workingmen's compensation bill, devised more in the interest of employers and insurance companies than for the benefit of workingmen.

Signed the full crew bill.

Signed the Civil Rights bill.

Signed the Negro Regiment bill.

Vetoed the infamous McKee Public School bills.

Vetoed the Constitutional Convention bill.

Vetoed over eight millions of dollars of unnecessary appropriations.

Invoked the machinery of justice to rid the State of grafters.

Signed the Home Rule bill for cities.

Saved the taxpayers more money in less time than any other governor in the history of the State.

Refused to compromise with Murphy and the grafters.

Fought consistently for decent citizenship and honest Government.

Said he would rather be right than be Governor; that he would rather have his self-respect than any office.

## CHAPTER XX.

### WHAT IS GREATNESS?

SPEECH OF GOVERNOR SULZER TO A DELEGATION OF SCHOLARS FROM WALTON HIGH SCHOOL, DELAWARE COUNTY, N. Y., HEADED BY SENATOR WHEELER AND PROFESSOR DARLING, WHO CALLED AT EXECUTIVE CHAMBER, MARCH 21, 1913, TO PAY THEIR RESPECTS.

Governor Sulzer said:

"Professor, Senator, Ladies and Gentlemen: It is a great pleasure for me to welcome you to the Executive Chamber of the capitol of the State of New York. Nobody is more welcome here than the teachers and the scholars of our State. I take a deep interest in the welfare of the students and the teachers in our schools.

"I believe the teacher is about the greatest man, or woman, in the world. The teachers' profession is in many respects the greatest profession on earth. The work that the teacher does for society, the general welfare, and civilization, is a work often little appreciated, but its lasting benefit to all is of far-reaching importance.

"I have always said, and repeat it now, that great credit and commendation should be given the teachers of the world. They are doing a work for the good of humanity, and any work that benefits humanity is a world work that ought to be appreciated by every citizen, from one end of the country to the other. All honor to our teachers.

"You come from a well-known school, in a well-known county of our State. I like Delaware county, and I know something about your school. You are to be congratulated that you are students in that famous institution of learning. I know the education you are getting there, and how beneficial it is to you now, and how very much more beneficial it will be to you as the years come and go.

"Sometimes our students—the boys and girls—do not appreciate the advantages they enjoy under the free institutions of our State. But in after years, when you come to look upon these student days, you will see things in a greater light, and with a clearer perception, than you do now. At all events, now is the time for you to appreciate all that your teachers are doing for you. Be grateful to them; obey them; be sympathetic with them; and try to work with them for your own good. Learn all you can in your learning days: Now is the time. After awhile you will not have so much time to learn as you have now. What you learn now you will never forget. Store away in the back of your heads—that great reservoir that God has put there—all the knowledge you can get, so that you can utilize it when you go out in the world to make your own fortune.

"The world is before you. Opportunity is yours. It is in your own power to make or mar your own career. The country waits for the man, or the woman, who knows how.

"Real greatness consists in the possession and development of three faculties—observation, by which you acquire knowledge; concentration, by which you store it away; and analyzation, by which you utilize it. Any individual who possesses, well-developed, these three great faculties is a genius. Very few people in all the annals of the world have possessed them. Those that

have possessed them have written their names in enduring fame all through the pages of human history.

"A man or a woman, with these three great faculties well-developed appears on the stage of humanity only once or twice in a thousand years, but he, or she, never disappears. These kind of people live forever. Do not forget that. That is the real secret of all true success in every walk of life and along every avenue of pursuit.

"You can look into the faces of people and see whether they have the faculty of observation or not, by the shape of their forehead. Some have it more than others; but all have it to a greater or lesser degree. That is the first great thing—observation, by which you acquire knowledge through the eyes, through the ears, and through every other sense and faculty.

"Then comes concentration. Remember that knowledge is of no use unless you concentrate it, that is put it away, store it up so to speak, so you can use it in the future when you most need it.

"And now last and greatest of all, analyzation, by which you can take that knowledge from the storehouse, analyze it, like a chemist will analyze a piece of rock, and then utilize all that is of value.

"In conclusion let me urge you to develop these three faculties. You have them. We all have them. Those who develop them the most will become the greatest women and the greatest men. Do not forget this. What the country needs to-day, more than anything else, is great men and good women who will protect and preserve what the fathers vouchsafed to us—our free institutions—and hand them down unimpaired to future generations."

# THE GOVERNOR

## CHAPTER XXI.

### PATRIOTISM.

#### A TRIBUTE TO THE SOLDIERS AND SAILORS OF THE UNION.

GOVERNOR SULZER'S SPEECH AT THE UNVEILING OF THE MAINE MEMORIAL MONUMENT, AT THE ENTRANCE TO CENTRAL PARK, IN THE CITY OF NEW YORK, ON MEMORIAL DAY, MAY 30, 1913.

Governor Sulzer spoke as follows:

"Fellow citizens: Personally, and as the chief magistrate of the State of New York, I am glad to be here this afternoon, to witness the unveiling of the Maine memorial monument, and to participate in the patriotic ceremonies incident to this inspiring occasion.

"It is fitting that this memorial monument, to the heroes of the Maine, should grace the entrance of one of the grandest parks in all the world, and for years to come embellish and beautify the city of New York.

"For decades yet to follow, this Maine memorial monument will stand as a silent lesson of the patriotic duty of every American citizen. This beautiful monument—a superb work of art—for all time, will be a mute testimonial to the people of our land, that no man who dies for his country, ever dies in vain. Until it crumbles into dust, this strong work in stone will solemnly commemorate one of the greatest events in the annals of our history—an event which changed the map of the

world, created a new republic, and made the United States one of the greatest world powers on earth.

"The two hundred and sixty-three brave sailors who went down to death beneath the waters in the mud and muck of Havana harbor, on that fateful night fifteen years ago, gave up their lives for our flag, and died as bravely as any soldier that ever shed his blood on the battlefield for freedom.

"This magnificent monument, reared to the eternal fame of our heroic dead, will be an inspiration to generations yet unborn, because it typifies a great idea; because it stands for a great theme—the love of country—

"The tumult and the shouting dies,  
The captains and the kings depart;  
Yet stands thine ancient sacrifice,  
An humble and a contrite heart;  
Lord God of Hosts, be with us yet;  
Lest we forget, lest we forget."

"All honor to them—the brave defenders of our country—their fame is secure. They sleep the sleep that knows no awakening, in the silent mausoleum of Arlington—our country's cemetery for its immortal dead—

"On fame's eternal camping ground,  
Their silent tents are spread;  
And glory guards with solemn round,  
The bivouac of the dead."

"We erect this beautiful monument not only as a memorial to the dead, but also as a beacon to the living. It will ever be an inspiration to the living as well as a testimonial to the dead. From the heroism of their sacrifice let every true American take renewed hope for the perpetuity of our free institutions, and greater cour-

age to stand by the American navy, for which they yielded up the last full measure of their devotion.

"And now, in the presence of this vast assemblage—in the shadow of this monument we have just unveiled—I would be remiss if I did not say, all honor to the men whose patriotism has made that monument possible. All honor to the members of the Maine memorial committee; all honor to the generous citizens who contributed the funds to rear this monument. They have done a patriotic work; they are entitled to the commendation of their fellow citizens.

"On this Memorial day—the day of all the year for these ceremonies—I say—all glory to the brave soldiers and sailors of our country. This is their day—dedicated to them by a grateful country—sacred to the soldiers and sailors, living and dead, who saved the Union.

"There is no honor in the republic too great for the men who saved the republic. There is no reward in the country too great for the men who fought for the country. There is no gift in the government too great for the widows and the orphans of the men who died for the government. Our country should be grateful to her brave defenders. We should remember that gratitude is the fairest flower that sheds its perfume in the human heart.

"The republic owes her defenders and her saviors a debt of gratitude it never can pay—so long as that flag (pointing to the Stars and Stripes) floats over a glorious and reunited country—and forever and a day typifies all that we are, and all that we hope to be—the greatest and the grandest republic on earth."

## CHAPTER XXII.

### GOVERNOR SULZER'S REMARKS TO A LARGE DELEGATION OF THE HUDSON VALLEY LOYAL ORDER OF MOOSE, WHO CALLED TO PAY THEIR RESPECTS.

The Governor said:

"Brothers, I am glad to meet you. I welcome you to the Executive Chamber of the State of New York.

"I trust your sojourn in our Capital City will be agreeable, and that you will take away favorable recollections that will abide with you throughout the rest of your lives.

"Of course I know just a little about your Order, having recently become a Moose—not a Bull Moose—but just an everyday Moose. (Laughter and applause.)

"It is a good Order, a growing Order, and it is doing, I am glad to say, a charitable, a benevolent, and a humanitarian work. Every agency of this kind deserves the support and the respect of every patriotic citizen in our country.

"As a new member of the Order I do not intend to inflict upon you to-day the kind of a speech you hear from the brothers who talk about the Moose in and out of our Lodges. But when I have the time to spare I hope to meet you in the Lodge, and to hear from you, and thus gain real knowledge of the Order.

"I understand that to-morrow you are to have quite an affair. I promised some of the Brothers to be with you to-morrow afternoon, and I suppose, say a few words then to you.

"So we will make this speech to-day as brief as possible. You realize that I am very busy here, and then again, you know that brevity in our Order, as in all things, is the soul of wit." (Applause.)

## CHAPTER XXIII.

## SPEECH ON FIRE PREVENTION.

REMARKS OF GOVERNOR SULZER, APRIL 2,  
1913, TO A LARGE DELEGATION OF CITI-  
ZENS FROM NEW YORK CITY, HEADED  
BY FIRE COMMISSIONER JOHNSON, OF  
THE CITY OF NEW YORK, APPEARING IN  
THE INTEREST OF THE SO-CALLED ANTI-  
ARSON LEGISLATION.

Governor Sulzer said:

"Commissioner Johnson and Gentlemen: It is a pleasure for me to welcome you to the Capitol of our State. Of course I know, in a way, your mission here, and in that mission I wish you all success.

"There is no one in the State more anxious to prevent arson than I am, and anything that will bring that about will meet with my approval. You can rely on me in this matter.

"Doubtless you know I have a rule which I seldom break, and that is not to commit myself for or against pending legislation before it comes to me for approval or disapproval. If I did otherwise, I would be in trouble all the time.

"As a matter of fact, some of the railroad officials think I did commit myself last fall to the full crew legislation, but they are mistaken about it. There is no truth in these statements regarding the full crew bill so far as I am concerned. The railway people know it. But I want you citizens, and all citizens of the State, to remember that I am in favor of the general welfare, and

that the general welfare rises, in my judgment, at all times superior to the private welfare of corporations.

"I take a broad view of every proposition, and in my own way decide it along equitable lines for the greatest good to the greatest number. That is my rule. I shall adhere to it to the end in the interests of all."

## CHAPTER XXIV.

## BIRTHDAY SPEECH.

SPEECH OF MR. SULZER AT THE COMPLIMENTARY DINNER IN HIS HONOR, TO CELEBRATE HIS 50TH BIRTHDAY, AT THE CAFE BOULEVARD, NEW YORK CITY, MARCH 18, 1913.

(Stenographically Reported.)

Mr. Sulzer said:

"My friends: No words of mine—and I speak from the depths of a grateful heart—can tell you how much I appreciate this dinner in celebration of my birthday.

"Here assembled are some of the best friends a man ever had. If I have done aught in the years gone by to justify this recognition of your kindness, of your generosity, and of your appreciation, the credit is yours, because all that I am I owe, to a large extent, to those around this festive board for the confidence they have reposed in me, and in the rectitude of my intentions, during the years I represented this district in the Congress of the United States.

"You know me as I am; and as I am, I ever hope to be. I would not be different if I could, and I could not if I would. You know that I have no race, no political, and no religious prejudice. The only prejudice I have is against intrenched wrongs, to remedy which I have struggled all my life. I am broad-minded in my views. I believe in my fellowman, in the good of society generally, and I know that the world is growing better. My

face is to the dawning of the better day that heralds the coming of the Brotherhood of Man.

"In the future, as in the past, you can count on me to struggle to help those who need help; to do my share in my day and generation for the general welfare; to aid oppressed humanity in every land and in every clime; and to raise the lowly to a higher level in the onward march of progress.

"Long ago, I made a vow to the people that in the performance of my duty no influence would control me but the dictates of my conscience and my determination to do the right—as I see the light,—day in and day out, regardless of the political future or of personal consequences. Have no fear. I shall stick to that.

"Let me say again that I stand now, where I have always stood, and where I always will stand—for certain fundamental principles—for freedom of speech; for the right of lawful assembly; for the freedom of the press; for liberty under law; for civil and religious freedom; for constitutional government; for justice to all; for home rule and local self-government; for the reserved rights of the States; for equal rights to everyone and special privileges to no one; and for unshackled opportunity as the beacon light of individual hope, and the best guarantee for the perpetuity of our free institutions.

"As many of you know I have been over some of the celebrated trails of our country—the trails made by our early settlers in the pioneer days of the Republic. A few years ago I travelled over the famous 'Santa Fe Trail' stretching away from St. Louis westward and southward to the capitol of New Mexico. There in the old Plaza, where the trail ends, is a small granite shaft to the memory of Kit Carson, the pathfinder, the scout, and the guide of that world-renowned route. On it are inscribed these simple words, 'Well done, Kit.'

"When my career on earth is finished, and I am

gathered to the fathers, I indulge the hope that if I have done aught for my fellow man, that those who appreciate my efforts for our common humanity will erect over my grave a simple shaft, and on it inscribe the words: 'Well done, Bill.' I want no greater glory—no more lasting fame."

## CHAPTER XXV.

## ON POLITICAL INDEPENDENCE.

GOVERNOR SULZER'S SPEECH ON POLITICAL INDEPENDENCE, DELIVERED AT THE BANQUET OF THE DEMOCRATIC EDITORIAL ASSOCIATION OF THE STATE OF NEW YORK, HELD AT THE HOTEL TEN EYCK, ALBANY, N. Y., TUESDAY EVENING, MARCH 25, 1913.

(Reprinted from Knickerbocker-Press.)

Mr Sulzer said:

## SOME OLD TRUTHS.

"This is a fitting time to reiterate some old truths. It never hurts the truth to tell it twice. The truth is always old and ever new, and in the end truth prevails. The record of what I have done thus far is straight. I shall fight on to keep the record of my administration straight.

## THE NOMINATION.

"The people know that my nomination for Governor came to me because for long years I worked for the people, and through my own exertions I earned the good will of the people by deeds done and works accomplished.

## CANDIDATE OF A UNITED PARTY.

"I was the candidate of a united party and an unshackled convention. I went to Syracuse not as a candidate, but to fight for a principle—the principle of an open convention, a fair field, and no favor. I won that fight; and as a result the standard was placed in my hands; and I carried it to victory.

## CAMPAIGN PROMISES.

"During the campaign I said over and over again that if I were elected Governor I would go into office without a promise, except my promise to all the people to serve them honestly, and faithfully, and to the best of my ability; that I was free; without entanglements; and that I should remain free; that when I took the oath of office it was my purpose to be the Governor of all the people, and that the Executive office would be in the Capital. No one who understands the English language could have misunderstood the purport of my words. At all events I meant then what I said, and I reiterate it now; and in the future I shall adhere without deviation to every promise I made to the people.

## THE INAUGURAL ADDRESS.

"As an evidence of this, when I took the oath of office, I said in my inaugural address that it was my purpose to be the Governor of all the people, and to do everything in my power for progressive reforms along constructive and constitutional lines; that whatever I did as Governor would always be open and above board; that I should confide in the people when in doubt; and I indulged the hope that when my official term ended I should have accomplished something to merit

their approval, and to justify the confidence they had reposed in the rectitude of my intentions.

#### THE TASK OF ADMINISTRATION.

"Soon after I became Governor I realized the deplorable conditions in State affairs and promptly made up my mind what to do. The work was mine. The task of administrative reform was put in my hands. The cause was the cause of the State, and I determined to shirk no responsibility in my efforts to secure in the public service greater economy and more efficiency; to uproot official corruption; to eliminate graft; and to raise higher the standard of civic righteousness and official integrity. What I have done thus far speaks for itself, and I have only begun. No man realizes more than I do the obstacles that are put in the way. But I see clearly the right, and have concluded to go forward without hesitation, and with the determination to do my whole duty fearlessly, regardless of the political future or of personal consequences.

#### NOT AN AGENT.

"As the Governor, I knew, from the experience of the past, that in order to succeed I had to be the Governor in fact as well as in name. I have never been an agent, and I never will be. No boss, no man, no party, and no organization can make me a rubber stamp. I am the Governor. Let no man doubt that.

#### THE STATE LEADERSHIP.

"My friends are aware that I thought out the situation carefully, because I believe in being patient and making progress slowly. When the newspaper representatives in Albany, day in and day out, reiterated their

questions as to my political status, I finally told them, once and for all, that the people had elected me the Governor; that they expected me to be the Governor; that I stood on the verdict at the polls; that the judgment of the electors constituted me the leader of my party in the State; that I should be the leader, come weal or woe, while I was the Governor, in order to make my administration a success and meet the just hopes of my constituents; and if anyone, I cared not who, challenged my right to be the Governor I wanted that man to come out into the open, and we would submit the question to the people for their decision.

#### THE VISIBLE GOVERNMENT.

"No one thus far has challenged my title to the Governorship, or my right by virtue thereof to the leadership of my party in the State, and until it is challenged openly and publicly, I rest on the judgment of Election Day and will say no more about it. Hence I shall go forward with my work on the assumption that so long as I am Governor the seat of political power in the State of New York is in the Executive Chamber of the Capitol. There all are welcome—high and low, rich and poor, great and small. There at the big desk, in the big room, is the visible Government of the Empire State.

#### THE INVISIBLE GOVERNMENT.

"Of course I have no vanity in this matter, or in any other matter so far as that is concerned. I assume the leadership because I want to make the Governorship all that the people intended it should be when they adopted the State Constitution. I am assuming very little. I just want to do what is right. That is all. The people understand the proposition if the politicians do not. Between what I know to be right, and what some other

man says is right, and wants me to do, I shall do what I know to be right. In the last analysis, I must be the judge between right and wrong; and my conscience must be the only guide that decrees my duty to the State. My obligations make me responsible to the people. No other man can be while I hold the office. Between the visible government and the invisible government the rank and file know the difference, and I have no fear of the ultimate result.

#### CERTAIN FUNDAMENTALS.

##### HOME RULE.

"No man in all this land is a greater believer than I am in the doctrine of home rule as a fundamental right. Long experience has taught me that many of the evils the people want remedied; that most of the things the people want done, can be remedied, and can be done, through local agencies, without interference, or invasion, by the National or the State Legislatures.

#### LOCAL SELF-GOVERNMENT.

"We should stand squarely for home rule and local self-government—home rule for the State, that is for the reserved rights of the State, against encroachments by the central government at Washington; home rule for the villages, and the towns, and the cities of the State, against State invasion and legislative tinkering; and last but not least, for the political rights of each and every county, which means political independence from domination from any outside boss, or dictatorial invasion from any man in any other county. I want to see each county in our State politically independent of political interference from any other county, and have the right to settle its own political affairs in its own political way.

~~THE FIRM FOR THE DOCTRINE.~~

"Home rule is a part of my political religion. I shall stand firm for this doctrine. In the future, as in the past, I shall adhere tenaciously to the principle of local self-government—civil and political. A denial of this fundamental right is an indictment of American patriotism, and an arraignment of the intelligence of our citizenship.

## NO INTERFERENCE, SAVE FOR THE COMMON WEAL.

"The people can count on me as the Governor of the State not to interfere with home rule in any locality if I can possibly avoid it. Certainly I shall do all in my power to prevent others from doing it. If I do interfere, directly or indirectly, it must be for the good of the general welfare, and then only in a case that rises far superior to local considerations.

## A SOURCE OF WEAKNESS.

"No one need tell me the obstacles and the difficulties that confront a public official in the distribution of the offices. I am no novice. Politics to a very large extent is government; and government in the same ratio is politics. I know patronage is a source of weakness. About seven-tenths of my time is taken up with public duties concerning the general welfare, and about three-tenths is occupied in listening to appeals of office seekers, and trying to distribute fairly the few offices I have at my disposal.

"As a matter of fact, I wish all places were in the classified service, or that I had no positions to bestow.

I would be happier, and make fewer enemies, and I know I am making enemies every day—bitter enemies—because I cannot see my way clear in the performance of my duty to give men who seek office the places they desire.

#### THE TEST FOR OFFICE.

"Of course in making appointments I will listen to the suggestions of good citizens, and carefully consider recommendations of county committees, but in the end I insist that I shall be the judge of the qualifications of the applicant; that the applicant must be honest; that he must be capable; that he must be efficient; and finally that he must be faithful to the best interest of the people of the State. Public office must be a public trust. That is the test. In the performance of my duty I have no friends to reward; no enemies to punish; no ambition to gratify; no machine to strengthen; no organization to build up. That is all there is to it—and it is all so simple—if one wants to do right.

#### WILL STICK TO PRINCIPLES.

"In conclusion I cannot refrain from saying that no Governor, in his efforts—for civic righteousness—for purer politics—for progressive legislation and for administrative reforms, ever needed the help of decent citizens more than I do. They can count on me to do my duty day in and day out as I see the right—and God gives me the light. When I began my political career—long years ago—I made a vow to the people that in the performance of my duty no influence would control me but the dictates of my conscience, and my determination to do my duty to all the people. That is my platform. Have no fear. I have the courage of my convictions, and shall stick to my principles."

## CHAPTER XXV-A

## SULZER COULD NOT BE BOSSED

Wm. Sulzer needs no eulogy. His place in history is secure. He will live in the hearts of his countrymen for the good he dared to do. He showed how to be a patriot. He wrote a large chapter in the annals of New York, as one of her most honest, one of her most fearless, and one of her most independent Executives. He will live in the history of the Commonwealth as one of her greatest reformers. He did things. He showed great moral courage. He was his own master, and he never was afraid.

No Boss could control Wm. Sulzer. During the time he was Governor, he made a remarkable record—a record which has become a part of our glorious history—and nothing his enemies say, can detract from his brilliant accomplishments as a statesman.

Wm. Sulzer will live in the hearts of decent citizens. As a patriot he will rank with Lincoln. As a statesman he will stand with Wright. As a reformer he will be compared with Tilden. Besides, Sulzer had only begun his work of reform. He was only on the threshold of his efforts for honest government when he was removed from office by the foulest political conspiracy in the annals of American history. However, the results of Mr. Sulzer's work as Governor will live long in the affairs of New York, and the resultant benefits will be felt by the people for centuries yet to come.

When the future historian comes to faithfully and impartially write the story of what Sulzer did, and of his unconstitutional removal from the office of Governor, he will give as the real reason for that infamous act the following, viz.:—

First: Mr. Sulzer's persistent efforts to secure the enactment of the Full Crew legislation to conserve human life on the railroads.

Second: Mr. Sulzer's persistent efforts to secure the enactment of the laws he recommended to compel honest dealings on the New York Stock Exchange.

Third: Mr. Sulzer's dogged refusal to approve the iniquitous McKee Public Schools Bills which would give control of our public schools to a religious denomination.

Fourth: Mr. Sulzer's successful efforts to secure the repeal of the notorious charter of the Long Sault Development Company, by which the State of New York received back its greatest water power and the most valuable of its natural resources.

Fifth: Mr. Sulzer's defiance of the bosses—big and little—and his heroic fight for honest and genuine direct primaries.

Sixth: Mr. Sulzer's determined refusal to be a proxy Governor or a rubber stamp—like Dix and Glynn—for Charles F. Murphy.

Seventh: Mr. Sulzer's absolute refusal to do what Mr. Murphy demanded regarding legislation and appointments, and his blunt refusal to call off Blake and Hennessy, and stop the investigations which were being made, under his direction, to uncover fraud and expose graft in the State Departments.

Eighth: Mr. Sulzer's moral courage, in the performance of public duty, wherein he insisted on the trial and punishment of Senator Stillwell for extortion. In a previous chapter, written by Mr. Sulzer himself, is told the story of Stillwell. The fight Mr. Sulzer made to bring Stillwell to justice arrayed against the Governor the bitter and secret hatred of every crook in the Legislature—and their names are known.

Ninth: Mr. Sulzer's determination to set in motion, the machinery of the law, in various counties of the State, to indict the grafters and bring them to justice.

## THE BOSS, OR

To the impartial investigator who will take the time to go over the record, and familiarize himself with the real facts, it will be apparent that these were the true reasons why Mr. Sulzer was removed from the office of Governor of the State of New York. The Murphy reasons—hereafter given—are too ridiculous for consideration by sane and sensible people.

We will now consider some of these causes, and explain them, in the succeeding chapters:

First: The fight for the Full Crew Bill.

Second: The fight to regulate business on the New York Stock Exchange.

Third: The veto of the infamous McKee Public School Bills.

Fourth: The fight to repeal the notorious Charter of the Long Sault Development Company.

Fifth: The great fight for honest and genuine direct primaries.

Sixth: The fight against the grafters.

## CHAPTER XXVI.

## MR. SULZER'S FIGHT FOR THE FULL CREW LAW.

For ten years the trainmen struggled in the State of New York for the enactment of a Full Crew Law, to protect property and conserve human life on the railroads.

The political parties pretended to favor the legislation, and their candidates promised to support it. The employees of the railroads throughout the State, were most anxious to write this law upon the Statute Books. Similar laws had been enacted in other States, and worked well. However, the railroads bitterly opposed this legislation, and fought it with a persistency seldom witnessed.

When Charles E. Hughes was Governor, the Legislature passed a Full Crew Bill, and Governor Hughes vetoed it. This veto was one of the most unpopular acts of his administration. When John A. Dix was Governor, the Legislature again passed a Full Crew Bill, and Governor Dix vetoed it, much to the disappointment of the Labor people throughout the State. This veto was one of the causes of Dix's great unpopularity.

No doubt great influence was brought to bear, through the railroads and their friends, on Governors Hughes and Dix, to veto these bills notwithstanding their merits.

When Mr. Sulzer became Governor, the working people felt confident that no corporate influence could control him, and that if they could again pass through the Legislature the Full Crew Bill, Mr. Sulzer would sign it as a matter of justice. After a hard fight, the bill

passed. The railroads thought that Mr. Sulzer would be just as easy to control as his predecessors. They demanded a hearing on the bill. The Governor granted it. It was one of the largest hearings ever held in the Executive Chamber. The labor people were well represented. The railroads were represented by all their presidents, their officials, their lawyers, and their lobbyists. Every President of every railroad in the State of New York was there. The hearing lasted all day.

Governor Sulzer sat patiently at his desk and listened to all who desired to talk. He gave no outward sign of what he would do—whether he would sign the bill or veto it. His silence was construed by the railroad Presidents as an ominous sign. They immediately launched an expensive campaign of newspaper advertising—whole pages in the leading papers of the State—for the obvious purpose of influencing the editorial columns of these newspapers and intimidating the Governor. Then they threatened the Governor with political destruction if he dared to sign the bill.

Mr. Sulzer paid no attention to these advertisements, threats, and attacks. After carefully considering the whole matter, he was brave enough, and honest enough, and just enough to put his signature to that bill, and by it wrote upon the Statute books the Full Crew Law.

The signing of this bill arrayed against the Governor not only the antagonism of the railroads, but the combined corporate interests of the State, with all their agencies and ramifications and newspaper influences. The railroads were furious. They began to plot against the Governor. How much money they spent in aiding Mr. Murphy to depose the Governor will probably never be known. The newspapers they controlled and turned against the Governor are known.

When Mr. Sulzer signed the Bill he wrote the following memorandum:

## STATE OF NEW YORK—EXECUTIVE CHAMBER.

*ALBANY, March 31, 1913.*

Memorandum filed with Assembly Bill No. 1526, entitled:

"An act to amend chapter four hundred and eighty-one of the laws of nineteen hundred and ten, being chapter forty-nine of the consolidated laws, known as the railroad law, by adding a section thereto prescribing the minimum number of employees to be employed in the operation of certain trains."

## APPROVED

This bill provides, in substance, that railroads running through the State of New York shall have their trains suitably manned by a sufficient number of men to prevent wrecks, protect property, and conserve human life and limb.

It is a most important measure, and I have given the subject matter careful consideration with the view of doing substantial justice to all concerned, and promoting the greatest good for the greatest number.

Similar bills have passed the Legislature twice before but did not meet with Executive approval, because it was believed the Public Service Commission had power to remedy the evils of which complaint has frequently been made. This has not been done, and the matter is now before me for official action.

Considering the fact that the Legislature has by an overwhelming vote again passed the bill I am bound to assume that this measure concerns the general welfare and that the people want it enacted into law. I shall not shirk my duty to humanity.

It cannot be called class legislation, as it affects substantially all the people, and has been adopted with good

results in other States, and in my judgment will, ere long, be the law in more of the States.

The only objection to the measure on the part of the railroads appears to be that it will increase to some extent the cost of operation, by reason of the fact that a few more men will have to be employed on some of the trains. The same objection could be urged with equal force to any improvement in the method of railroad operation.

My judgment is that the conservation of human life and limb is as important to the people as a little additional expense in the operation of these common carriers. The State for its own welfare has a right to demand the employment upon the railroads of every safety appliance, whether mechanical or human, in the interest of life and limb and greater safety standards.

In my annual message to the Legislature I said: "Any achievement that is purchased at the continued sacrifice of human life does not advance our material resources but detracts from the wealth of the State. The leaders of our civilization now realize these fundamental truths, and the statesmen, the scientists, and the humanitarians are endeavoring more and more to protect human life, and to secure to each individual not only the right to life, but the right to decent standards of living. We have had to change old customs and repeal antiquated laws. We must now convince employers that any industry that saps the vitality and destroys the initiative of the workers is detrimental to the best interests of the State and menaces the general welfare of the Government."

Every safeguard it seems to me should be employed by the railroads to prevent wrecks, to protect the property of shippers, and to conserve human life and limb—not only of the employees but of the traveling public. The progressive spirit of the time demands it, and the trend of present-day legislation is all that way.

The inauguration of these reforms, in my opinion, will

create greater safety, and establish more efficiency in the operation of railway transportation, and in the end prove economical to the railroads, by preventing wrecks, with the resultant loss of life and limb, entailing necessarily great financial loss in damages to the railroad companies.

At all events between the extra cost in dollars and the extra cost in lives, if I err at all in reaching an equitable conclusion regarding official action on this bill, I prefer to err on the side of life and limb and flesh and blood.

The law requiring airbrake equipment, self-couplers, standardization of equipment, hours of service limits, and boiler inspection met with practically the same opposition that is now urged against this measure, and yet I venture to say few if any common-sense railroad officials would favor the repeal of a single one of these salutary acts.

It is amazing to note the number of people killed, or injured each year on the railroads. The statistics show that during the year ending June 30, 1911, more than ten thousand persons were killed and over a hundred and fifty thousand people injured on our railroads, and of these over three thousand, or about 35 per cent. of the killed, and over a hundred thousand, or about 75 per cent. of the injured, were railroad employees. It seems strange, in view of modern safety devices, that so large a number of employees should be killed and injured every year.

The bill in my opinion is not unjust to the railroads, but simple justice to the railway employees and to the much-concerned traveling public. Their rights must not be overlooked—especially in view of the appalling facts that during the twenty-four years covered by the statistics of the Interstate Commerce Commission, 188,037 persons have been killed, and 1,395,618 persons injured on the railroads of the United States. This is an average of 7,835 persons killed and 58,150 injured each year, or an annual total of nearly 66,000 persons killed and

injured. This means that for every day during the past twenty-four years 181 persons have been killed or injured—nearly eight every hour, or one every seven minutes, with the regularity of clock work. The ravages of war pale into insignificance before these sad and silent indications of the destruction of human life and limb accompanying the peaceful operation of our railroads.

This bill I believe is in the interest of humanity, for the general welfare, will go far in the future to change for the better these deplorable statistics, and once more upon the statute books will meet with popular approval and never be repealed.

Hence all things considered, I shall sign the bill for the good of the State.

WM. SULZER.

LETTER FROM W. H. TRUESDALE, PRESIDENT DELAWARE,  
LACKAWANNA & WESTERN RAILROAD COMPANY.

OFFICE OF PRESIDENT

NEW YORK CITY, April 3, 1913.

*His Excellency, WILLIAM SULZER, Governor of the  
State of New York, Albany, N. Y.:*

DEAR SIR.—We observe in this morning's papers the explanation of your approving the Full Crew Bill in which you, in effect, say that if its requirements had been in force at the time of the accident at Corning, N. Y., in July last, this very serious and distressing accident would not have occurred.

In making such statement Your Excellency was certainly not familiar with the facts developed in the investigation of this case by the Interstate Commerce Commission and the Public Service Commission of the Second District of the State of New York, as set forth in the reports of these two commissions.

If Your Excellency will examine, or cause to be ex-

amined, the reports referred to, you will find that there is not a suggestion in either of them that the accident in question was due to any of the trains involved not being manned by a sufficient number of either trainmen or other employees. In both of these reports the blame was laid squarely and solely upon an engineer whose condition was not what it should have been when he went on duty and whose neglect caused the accident.

The engineer was indicted for his criminal neglect, but was not tried, as we are informed, because of some political bargain between his friends and the prosecuting officials of the county in which the accident occurred. We have appealed to every official who we thought might have any influence, or whose duties were such as might lead him to correct this serious maladministration of justice, but all to no purpose.

In justice to this company in particular, and to the railways of the State of New York in general, we respectfully ask Your Excellency to examine the reports of this Corning accident above referred to, and, finding the facts different from what you claim, that you publicly correct your statement that it was due to the trains involved being insufficiently manned.

Without question, the Full Crew Law is the most unjustifiable legislation that has yet been enacted for the alleged regulation of the railways of the country; but the management of this company feels particularly outraged that its enactment should be justified, as Your Excellency undertakes to do, through a misunderstanding of the actual causes of our Corning accident.

Respectfully yours,  
The Delaware, Lackawanna & Western Railroad  
Company,

By W. H. TRUESDALE,  
*President.*

## THE GOVERNOR'S QUICK REPLY.

STATE OF NEW YORK—EXECUTIVE CHAMBER.  
ALBANY, N. Y., April 4, 1913.

W. H. TRUESDALE, Esq., President, *D. L. & W. Railroad, New York City*:

DEAR SIR.—Your letter of the 3d instant, given out to the press, received.

You state that I said, in effect, that if the requirements of the Full Crew Law had been in force at the time of the accident in Corning last July, this very serious and distressing accident would not have occurred.

Pardon me, I did not say that, but I did say, and I repeat, "that if the Public Service Commission had exercised the power, which you claim it possesses, such appalling accidents might be avoided as that which occurred only a few months ago at Corning when forty-one persons were killed."

You ask me to correct this statement because the Commission, in its report of this terrible accident, makes no suggestion that it was due to the trains not being manned by a sufficient number of trainmen.

Let me say that I did not make my statement as an echo of the opinion of the Public Service Commission. The work of this Commission in analyzing the cause of accidents does not in all respects commend itself to me, especially, when I learn that during the six years that the Commission has been in existence accidents in which passengers have been killed have grown to an appalling extent. Why? I think you know.

The records of the Commission show that in this State five times as many passengers were killed last year as were killed five years ago; three times as many were killed last year as were killed four years ago; more than twice as many were killed last year as were killed three

years ago; and more than twice as many were killed last year as were killed two years ago. The records also show an increased annual killing and maiming of employees. In view of these appalling figures, I think that the opinion of the Public Service Commission as to the cause and prevention of accidents may reasonably be questioned by thoughtful and observant people.

My opinion is that the responsibility of running fast trains with their precious loads of human freight, is too great to be entrusted to any one human being. The railroad companies insist that there is absolutely nothing for a full crew to do whose employment is required under the new Full Crew law. I respectfully suggest to you and other railroad officials having authority, that the men required under the law recently passed be placed on your trains to see that they do not run by caution signals, full stop signals, and flagman, as did Engineer Schroeder on the fourth of last July when the Corning accident occurred. I would also suggest that it should be a part of their duties to observe the physical condition of engineers when they report for duty so that men who are unfit for duty may be prevented from taking charge of the trains.

In this connection I commend to your attention these words from the report of the Public Service Commission concerning the Corning accident:

"The work of enginemen in particular is performed under conditions of stress of which the general public seems to have a most inadequate appreciation. The mere observation of signals upon high speed trains under varying conditions of light, storm and fog is a severe strain. The slightest inattention while running at the rate of a mile a minute may result in the missing of a signal. A single error in observation may result in a disastrous accident."

In view of this I submit that it is too much to expect that on long runs there shall never be the slightest in-

attention on the part of the engineer. To guard against the possibility of the slightest inattention and the possibility of a single error, the work upon which the lives of hundreds of passengers depend, should not be entrusted to any one fallible human being.

My memorandum of the new law speaks for itself. I subtract nothing from that. I know of no life and accident insurance which can be had so cheaply as that which is afforded by the Full Crew law. The responsibilities devolving upon the engineer of fast passenger trains are beyond all comparison the greatest imposed upon any human beings. The recklessness on the part of railroad managers in insisting that these awful responsibilities shall continuously devolve upon one man, and in contending that there is no occasion for hiring a second man to share these responsibilities and to see that the "slightest inattention," or a "single error in observation" does not result in accident, is a recklessness unparalleled in the annals of business management.

I regret that the management of your company should feel outraged because I have spoken some plain, truthful words in justification of the Full Crew Law, but I am assure you that the people of the State of New York, and particularly the employees of the railroad companies, feel outraged that the railroad companies of the State killed last year 280 employees, maimed 6,690; killed 45 passengers, and injured 945 passengers. How can you justify this?

I do not complain because you take up the cudgels for your railroad. You are supposed to do that. They tell me you receive a very large salary for your railroad services. You should not complain if I do my duty, as I see it, to the people. They pay me a small salary in comparison to yours for doing that. The difference is just this: You are working for the railroad; I am working for the people; and we see things from our respective angles. You put the dollar above

the man; I put the man above the dollar; a human life to me is worth more than a human dollar; that is all.

You tell me that the Full Crew law will cost your company some additional dollars, and this may have something to do with your outraged feeling, but when the public recalls that your stock is selling at \$415 per share, and paying annual dividends of 55 per cent., your outraged feelings will not excite widespread sympathy with the traveling public and intelligent citizens.

In conclusion, I advise you that I have instructed the district attorney of Steuben county to investigate the serious charges you made against the administration of justice in that county, and have directed him to speedily report the facts to me for such further action in the premises as may be deemed wise and proper.

Respectfully yours,

W.M. SULZER.

#### STATEMENT BY GOVERNOR SULZER.

##### *The Man Above the Dollar.*

The Full Crew Bill, which I signed, is a meritorious measure and provides that the railroad trains running through the State of New York shall hereafter be sufficiently manned to conserve human life and limb.

Identical bills passed the Legislature twice before, but did not meet with executive approval because it was believed the Public Service Commission had power to remedy the evils of which complaint is made. However, the railroads heretofore have contended that the Public Service Commission did not have this power and was without jurisdiction.

The only objection to the measure on the part of the railroads was that it would increase to some extent the cost of operation by reason of the fact that an additional man would have to be employed on some of the

long trains. The same objection could be urged with equal force to any improvement in the methods of railroad operation.

In my opinion the conservation of human life and limb is more important to the people than a little additional expense in the operation of the railroads. The State, for its own welfare, has the right to demand the employment upon the railroads of every safety appliance, whether mechanical or human, in the interest of life and limb and greater safety standards.

Every safeguard, it seems to me, should be employed by the railroads to prevent wrecks; to protect the property of shippers; and to save human life and limb, not only of the employees but of the traveling public. The progressive spirit of the times demands it, and the trend of present day legislation is all that way.

The official records of the State of New York show that five times as many passengers were killed in this State last year as were killed five years ago; three times as many were killed last year as were killed four years ago; more than twice as many were killed last year as were killed three years ago; and more than twice as many were killed last year as were killed two years ago. The records also show an increased annual killing and maiming of employees. The people of the State of New York feel outraged that the railroad companies in New York killed last year 280 employees, maimed 6,690 employees; killed 45 passengers; and injured 945 passengers. The people believe the Full Crew Law will go far to stop this slaughter.

The Full Crew Law is not unjust to the railroads, but simple justice to the railway employees and the much-concerned traveling public. The rights of the people must not be overlooked, especially in view of the appalling fact that during the twenty-four years covered by the statistics of the Interstate Commerce Commission 188,037 persons have been killed and 1,395,618 persons

injured on the railroads of the United States. This is an average of 7,835 persons killed, 58,150 persons injured each year, or a total of nearly 66,000 persons killed and injured annually. This means that for every day during the past twenty-four years 181 persons have been killed or injured—nearly eight every hour—or one every seven minutes with the regularity of clock work.

The ravages of war pale into insignificance before these sad and silent statistics of the destruction of human life and limb accompanying the peaceful operation of the railroads. Any agency that will stop it is an agency for good. Human life is more important than dividends. Surely the general welfare rises superior to the dividends of the railroads.

Of course I do not complain about the railroads paying the newspapers to denounce me because I signed this just and meritorious measure. But I assure them, as the Governor of New York, that I am more interested in the conservation of human life than I am in the conservation of railroad dividends.

Everybody knows that railroad officials are paid large salaries to look after the interests of the railroads. The rank and file know that I am paid a small salary, in comparison, to look after the interests of the people. When I became Governor I said no influence would control me in my official conduct except the influence of my conscience, and my determination to do my duty to all the people as I see the right and God gives me the light.

My duty to the people in this matter was plain and I signed the Full Crew Bill, against the protests of the railroad officials, for the greatest good to the greatest number.

These railroad officials are working for the railroads. As the Governor of the State of New York I am working for the people. I see things from the people's standpoint and they see things from the standpoint of the

railroads. The railroad officials put the dollar above the man. I put the man above the dollar. A human life to me is worth more than a human dollar, the opinion of the railroad officials to the contrary notwithstanding.

In my judgment if the railroads sufficiently equip their trains with competent crews they will have fewer accidents and less wrecks. This in the end will prove economy to the railroads and prevent them from being subjected to suits for damages and large financial losses necessarily arising therefrom. A year from now I undertake to say that if any attempt is made to repeal this humane Full Crew Law the railroads themselves, in the interest of economy, will be the first to object.

Wm. SULZER.

### THE FULL CREW LAW.

ELON BROWN, OF WATERTOWN.

(*From Leading Editorial in the Albany Argus,  
May 1, 1913.*)

Thank God, the people of the State of New York have a Governor that fears no one. He has the courage of his convictions. He knows what to do and how to do it and what to say and how to say it. Great Governor, this man Sulzer.

Senator Brown, of Watertown, for reasons best known to himself, concluded he would pick a quarrel with Governor Sulzer. Little did he dream that the Governor, when aroused, is a human buzz-saw, has the courage of a dozen lions, and the fighting qualities of a pack of wildcats.

Senator Brown charged on the floor of the Senate that Governor Sulzer had made a promise during the last campaign to sign the full crew legislation. Governor Sulzer at once denied the charge emphatically.

Everybody in the State knows the Governor to be a truthful man. The people believe Sulzer.

Brown, however, was not satisfied, and kept nagging the Governor about it whenever opportunity presented. It turns out, according to an affidavit the Governor gave out last night, that Brown himself is guilty of the offense, and promised his constituents, when he was a candidate for Senator, that he would vote for the full crew bill. He voted against it and broke his promise. What a contrast! Poor Brown!

Senator Brown also made a savage attack recently, in the Senate, upon the Governor. The Governor replied very promptly. The reply was a philippic and a crushing rejoinder. The reply of the Governor seems to have hurt the feelings of Senator Brown. The Senator felt so badly about it that he threatened to sue the Governor for libel. The Governor promptly answered that he was no more afraid of a libel suit than he was of Brown, and that reply is one of the shortest and most caustic letters ever penned by mortal man. It is a classic of its kind.

Everybody is laughing at Brown's discomfiture. He ought to have more sense than to attack a man of the resources, of the experience, and the fighting qualities of the Governor of the State of New York.

Brown has learned his lesson and is wiser for it. Our sympathy and commiseration to Senator Brown! He certainly presents a pitiable sight after his conflict with Governor Sulzer. Brown is down and out—a specimen of the "In Bad Club." We condole with Brown. We do so as follows:

Then Elon Brown, of Watertown,  
Raised a foolish question when,  
A chunk of Sulzer's logic  
Struck him in the abdomen.  
Brown smiled a sort of sickly smile,  
And curled upon the floor,  
And subsequent proceedings interested him no more.

## CHAPTER XXVII

### GOVERNOR SULZER DRIVES BOSS BARNES FROM THE CAPITOL.

Interview between the Governor and the newspaper correspondents in Albany, April 17, 1913:

Mr. Relihan: Have you anything to say, Governor, about Senator Brown's resolution, introduced last night in the Senate, to investigate your approval of the Full Crew Bill.

The Governor: No.

Mr. Relihan: Are you going to?

The Governor: That resolution is rot. They tell me Boss Barnes went up to the Senate last night and gave Brown that resolution. Barnes and Brown cannot keep me from doing my duty. They cannot intimidate me. I want to say now, however, that if Boss Barnes does not keep out of the Senate, and keep his hands off the Legislature, I will get after Barnes.

A Reporter: That is the stuff.

The Governor: They say Barnes is the man who wrote that resolution. If he thinks he can keep me from doing my duty he has another think coming. Barnes is a part of the invisible government. He has no business meddling with the Legislature. I want Barnes to keep away from the Capitol. He is the Republican boss. The people don't want bosses up here. The people are the bosses now.

Mr. Howe: Mr. Barnes was in the Senate, you know, last night.

The Governor: Yes, I know that.

Mr. Howe: He was there yesterday—nearly all day.

The Governor: Yes; putting up, as he thought, a job

on the Governor with Senator Brown. Mr. Brown better read what the newspapers said about him a few years ago. I am not looking for trouble. But if anybody wants trouble with me in the performance of my duty to the people he can have it on the drop of the hat. The idea of a Senator introducing a resolution like that. It is all a trick of Barnes, Brown and the railroads. I want to say again I never made a promise to sign the Full Crew Bill—but I am glad I did sign it.

Mr. Hand: Wasn't there a pledge of that kind in the Democratic platform?

The Governor: The platform speaks for itself.

Mr. Hand: I think there was.

The Governor: I made no pledges to any one during the campaign except general pledges to the people. There isn't a man in the State who can say truthfully that I made a pledge to get the nomination for Governor or to get elected to the office. If any man in the State says I made such a pledge let him come forward and prove it.

I know what this resolution of Brown's was put in for. It is done to deter me from doing my duty to the people. Between the railroads and the people I am with the people. In my opinion, one human life is worth more than a train of freight cars. Who will dispute that? Mr. Barnes and Mr. Brown can put up jobs on the Governor, but it will not work. I'll go on doing my duty. I want boss Barnes to keep away from the Legislature. All bosses look alike to me. If the Democratic boss comes around there is an hullabaloo about it, but the Republican Boss can do practically what he pleases in the Legislature and the newspapers say it is all right. If Mr. Barnes is looking for trouble with me, I will give him all the trouble he wants here in Albany. I know a few things that he knows I know.

## CHAPTER XXVIII

### JUSTICE TO OUR NEGRO SOLDIERS.

*From the Leading Editorial in the Albany Argus,  
June 6, 1913.*

In signing the bill to give our Negro citizens recognition in the National Guard Governor Sulzer again has demonstrated what so many of his friends have known, and have asserted for years, that he is a great big man; that he can rise above race prejudice and religious bigotry, and do justice to man on account of man—regardless of race or religion.

Governor Sulzer has written upon the statute books of the State of New York three great laws that will forever endear him to all friends of humanity. First, the civil rights law, which will do more than any other single act, in all the history of our State, for justice and equality to all, and wipe out race prejudice and race hatred. Secondly, the law appointing a commission of Negroes and appropriating \$25,000 to fittingly celebrate the fiftieth anniversary of the Emancipation Proclamation. This great event certainly should be commemorated by the State of New York, and the Governor has seen to it that justice was done in the matter. Thirdly, the law giving the Negro citizens their rights in the National Guard. For a quarter of a century they have been struggling for this recognition, and for all these years the door of opportunity was shut in their faces.

At last came William Sulzer to the executive head of the greatest State in the Union. He was brave enough, and big enough, and far-seeing enough to do justice to the Negro.

What Sulzer has done in these matters, to say nothing

of the other great things he has accomplished, is a tribute to his head and heart, and will be a monument to his greatness as a Governor more enduring than marble and brass.

Let the niggers nag. Let the little men of little brains wail and whine. Let the critics criticize. They cannot hurt the fame of New York's popular Governor, who goes on doing good; on doing right; on doing justice; on fighting for progress and humanity.

All honor to this brave man, William Sulzer, who works for the people. All glory to New York's great Governor who loves to do right simply because it is right; who asks for no credit and no praise, but who always commands his own self-respect, and ever has the approval of his own conscience.

## CHAPTER XXX.

MR. SULZER'S GREAT FIGHT TO COMPEL  
HONEST AND ABOVE-BOARD DEALINGS  
ON THE NEW YORK STOCK  
EXCHANGE.

For a long time complaints, from one end of the country to the other, have been made against the secret and underhand methods of transacting business on the New York Stock Exchange. The complaints became so loud and insistent during the administration of Governor Hughes that he appointed a commission to investigate the matter. This investigation was made, but nothing came of it. Wall Street would brook no interference.

Then the House of Representatives took up the matter and looked into it through the Pujo Investigating Committee. And that, too, through subterranean influences, came to naught. Wall Street was above the law.

When Mr. Sulzer became Governor he made up his mind that he would take up the matter, and like various other matters he took up he pushed it to a successful conclusion—the “System,” to the contrary, notwithstanding. It took courage to do this—but Sulzer never lacked courage. He does things.

After giving the whole subject careful consideration he sent to the Legislature on the 27th day of January, 1913, the following remarkable and comprehensive message:

## STATE OF NEW YORK

## EXECUTIVE CHAMBER

ALBANY, January 27, 1913.

*To the Legislature:*

A matter concerning the general welfare of our State, to which I desire to call the attention of the legislature is the subject of remedial legislation regarding stock exchanges.

These stock exchanges, as is well known, are places where the purchase and sale of stocks, bonds and other securities, as distinguished from commodities, are carried on and transacted.

Illegitimate stock speculations result from improper, unnecessary, and fraudulent manipulations through matched orders, wash sales, pooling agreements, etc., which are no more nor less than fictitious transactions, and affect the public by assuming to create values where none exist, or values not according to the intrinsic worth of the securities.

The people have a vital interest in seeing to it that transactions upon stock exchanges are conducted honestly and with due regard to the protection of the investing public. These transactions involve such great amounts, affect such a large number of the investing public, and are so bound up with the success of our business enterprises, that the subject is one requiring careful consideration by the members of the Legislature of the greatest commercial State in the Union.

Complaint of flagrant abuses led Governor Hughes, in December, 1908, to refer the subject for investigation to an official committee of eminent citizens, who submitted a comprehensive report thereon the following June.

In dealing with the subject this committee recognized the fact that these stock exchanges are the most important markets in the world; that their influence upon the

welfare of the people of the United States cannot be overestimated; because they are the places where prices are made, and a ready market provided for the billions of dollars of corporate securities, constituting the investments of perhaps a million individuals, and thousands of banks, savings institutions, and insurance companies.

The report shows that the committee was convinced that serious abuses existed. It declared that a substantial part of the transactions in these stock exchanges were virtually gambling operations; and the statements were conclusive that often prices of securities were grossly manipulated by speculators, causing material losses to the public and moral detriment to the people.

While most conservative in its recommendations, this committee did not hesitate to condemn these evils specifically, and to admonish the governors of the exchanges to take the necessary corrective measures, which, with their experience and the plenary powers conferred upon them by their rules and constitution, they could devise more effectively, without injury to legitimate business, than any other body of men; pointing out that unless they did so the State would be compelled to intervene.

These stock exchanges are an inevitable necessity. They cannot be destroyed without doing irreparable injury to business. When properly conducted they constitute an efficient agency for promoting industrial and commercial prosperity. As at present constituted, however, they are beyond the regulative powers of any administrative department of the State.

That evils requiring immediate remedy exist is beyond dispute. These evils are easily discovered and readily stated, but the remedies to be applied require deliberate consideration and the most delicate adjustment to meet the situation, so as to benefit the public at large, and at the same time not disturb economic and industrial conditions.

Recently a committee of the House of Representa-

tives has taken cognizance of the condition, as matters which concerned the whole country, and has placed on record the testimony of some of the governors of the exchanges, and of other persons, which leaves no doubt in the minds of men of judgment that the exchanges have been either incapable, or unwilling, to devise measures that will effectively eradicate the evils.

In view of these circumstances it is now the obvious duty of the State, it seems to me, to devise the remedies. If the State neglects to do its plain duty, the State should find no fault if the Federal government acts in the premises.

A critical examination of the testimony adduced in the congressional investigation shows that the grossest of the evils—manipulations of prices of securities, by means of which the public is deceived and mulcted—are not only possible under the present regulations of these exchanges, but that they actually occur.

It is demonstrated that the members of the exchanges are aware of these occurrences, but ignore them; manifesting a surprising indifference to the public interest and to the reputation of the exchanges which is often besmirched by these vicious operations.

It is now conceded by some of the officials that a gambling taint is present in some of the transactions, a concession that confirms the general opinion.

It has been established as a fact by the testimony that transactions in their nature essentially fictitious, which make manipulations possible, are carried on without serious attempts at restraint, on the pretense that they are in form in compliance with the regulations.

Abuses of the mechanisms and violations of just and equitable principles of trading are treated leniently instead of being vigorously condemned and followed by condign punishment.

The testimony further shows that in cases where members have been punished for extreme violations of rules it also indicates quite clearly that there are bare evasions, undisclosed because not investigated.

Many of the evil practices are not disclosed until books of members who fail are examined; but this has not led the governors to exercise their power of examination prior to failures.

The men who have been entrusted with the power to regulate the operations of these exchanges have sometimes displayed inexcusable laxity in their duties to the public, frequently surprising incapacity to conduct the institutions properly, and, again, an unwillingness to enforce the just and equitable principles of trade which they profess. Since they have failed or refused to exercise the power to prevent such clearly vicious abuses, the authority of the State must be invoked to exercise that power.

Certain of the methods of business and of the operations conducted upon these exchanges have been the subject of many complaints and grave criticisms. Some of these methods and practices merit the severest condemnation and others do not appear, upon careful examination of the facts, to be well founded.

As a matter of fact it seems to me the necessary machinery of these exchanges is often employed with impunity by or through members to commit depredations upon the public.

These things must be stopped. An enlightened public opinion demands it. An exchange in which they occur ceases to be a legitimate market and becomes a powerful mulcting instrument.

Suffice it for me now to call to your attention certain suggestions that have been made looking toward immediate remedial legislation, and to submit for your consideration other subjects with a view to essential legislative acts.

## MANIPULATION.

which record  
excha<sup>n</sup>t of the many subjects of complaint none exceeds in importance the grievances that arise from the subject in the so-called stock manipulation. This manipulation is one of the matters about which there has been much public discussion. It may not be easy to define manipulation or to lay down rules that will clearly distinguish between justifiable and unjustifiable transactions in securities. The bringing of a stock into notice so that it may be a marketable security at its real value resulting from sales and purchase is not open to valid criticism.

What is a subject of just criticism, however, is a concerted movement artificially to raise, or depress, the price of a stock in order to enable those participating in the movement to realize a resulting speculative profit. Such movements in the main seem to be produced by a combination of men uniting together for that purpose.

A law should be promptly enacted that will clearly distinguish proper transactions of purchase and sale, on the one hand, from those on the other hand that are the result of combinations designed to raise artificially, or to depress, the price of securities without regard to their true value, or to the real state of legitimate demand and supply.

## CONCERTED MOVEMENTS TO DECEIVE.

It is my judgment also that where, by a combination or concerted movement a body of men seek to give to a stock an appearance of activity that does not in fact belong to it, for example, by selling backward and forward among themselves blocks of a particular stock, or by selling it out through one broker and at the same time buying it back through another, there is danger that this operation may mislead or deceive outside investors, the practice should be prohibited.

If operations of this character do mislead or deceive, and do induce outside investors to purchase stock under a false impression as to the extent of the demand for it and the nature of the market for it, a statute should be placed on the books forbidding such operations.

So long as transactions are not calculated or intended to mislead or deceive, and do not infringe upon the rights of others, they should not be interfered with; but transactions that are fraudulent in their nature and amount to fraudulent schemes or devices should be rigorously prohibited.

I urge upon you the prompt enactment of laws to end these shifty schemes, and to forbid these clever combinations to catch the unwary and to mislead the public.

#### SHORT SALES.

The subject of so-called "short sales" is one requiring your serious consideration. A contract to sell property which a man does not own at the time, but with which he can provide himself in time for the performance of his contract, is a general transaction throughout the various branches of business, and is not limited or peculiar to stocks or securities sold on exchanges. It is a subject which has been very much discussed by writers on financial topics, and one that has also been the subject-matter of legislation in this and other countries. As with other business transactions, it may be perverted so as to work an injury to the public. The best views seem to be that short selling in and of itself is not a wrongful or reprehensible thing, but it is the abuse of this practice that works injury to the public.

Your efforts in the enactment of legislation should, therefore, be to draw that distinction so that what will be condemned is the perversion of a legitimate form of business to improper ends. Combinations of men through short-selling to depress a stock artificially for the purpose

of buying it in to complete their short sales at an unwarrantedly low price, and thereby realize a profit which is not the result of natural prices, but of a condition fictitiously created by themselves, is the feature of the matter which is to be condemned.

#### HYPOTHECATION OF SECURITIES.

The relation of a broker to his customer is one that is governed by the general law of the land, and is the same whether transactions on stock exchanges are involved or not. Their respective rights in securities which are bought or sold for the customer, the extent to which securities that have been bought for the customer partly on credit may be pledged by the broker for the security of the amount owing on them, and, generally, the reciprocal rights and obligations of the broker and his principal, are matters which have been much considered by the courts and respecting which rules of law have been and are constantly being formulated.

But it has been the subject of just complaint that in the case of failures customers of the failing brokers have lost in whole or in part securities which had been purchased for them. Such losses result from a violation of the law governing the relations of broker and principal. This entire subject should receive immediate consideration at your hands, and all necessary modification of existing law for the protection of the investing public should be promptly made, and all acts productive of such losses, which are now merely a matter of civil liability, should be brought under the condemnation of the penal law.

#### TRADING AGAINST CUSTOMERS' ORDERS.

Legislation should be devised which will require of brokers the execution of orders given them so that,

whether purchases or sales, they shall be purchases from or sales to independent persons, and so that in no case shall a broker employed to buy for his customer be the seller on his own account, or as broker of some other principal of his own without disclosure of the fact. If there are cases in which, because of the peculiarity of the stock and the dealings in it, a purchase cannot be made excepting through acquiring the stock of another principal of the broker, those exceptional cases should be defined with precision.

It has been charged that there has been a practice on the part of some brokers of selling for their own account the same stocks that they have been ordered to buy for their customers contemporaneously with the execution of the orders on behalf of their customers. Such transactions, of course, amount to a virtual bucketing by brokers of the orders of their customers. They come within the same principles that lead to the condemnation of bucket shops. They are obviously unjustifiable, and should be stringently forbidden by a clear and explicit statute on the subject.

#### PROHIBITING BROKERS FROM DOING BUSINESS AFTER THEIR KNOWN INSOLVENCY.

One of the most widespread causes of complaint, and one of the most morally reprehensible practices, consists in a broker doing business after he has become actually insolvent, or knows or has reason to believe himself to be insolvent. Cases of great hardship upon the innocent investing public are due chiefly to the fact that the broker has received his customer's money when he knew he was insolvent. Banks are forbidden by law to receive deposits after their known insolvency. Brokers should be subjected to a like restriction.

I, therefore, recommend an amendment to the law, with appropriate penalties for its violation, forbidding a

broker to receive securities, or cash, from his customers, excepting in liquidation of, or as security for, an existing account; or to make fresh purchases or sales for his own account after he has become insolvent. The law should also contain a clear definition of insolvency within the meaning of the act, either analogous to the insolvency provisions of the National Bankruptcy Act, or otherwise clearly defining such insolvency.

#### MORE STRINGENT PENAL PROVISIONS AFFECTING BUCKET SHOPS.

Under the law of New York as it is at present it is necessary to establish that both parties to an ostensible trade in securities intended that it should be settled by the mere payment of differences and not by the actual delivery of property. It follows from this state of the law that the keeper of a bucket shop may escape the penalties now imposed by law merely by proving that his customer was an innocent victim and not a consenting party to the illegal transaction. I believe the Penal Code should be amended so that it shall be necessary only to show that the bucket shop keeper intended that there should be no actual delivery of property.

#### FALSE STATEMENTS.

One of the most widespread of public grievances in connection with the purchase of stocks arises from false or fraudulent prospectuses, statements, or advertisements regarding corporate securities. Under our law as it now exists it is difficult to bring to justice persons who, by means of false and fraudulent statements, advertisements and promises, deceive and wrong the investing public. These deceiving practices have been attacked, under the Federal laws, forbidding the use of the mails for fraudulent purposes.

I recommend amending the law of this State so as to make it a criminal offense to issue any statement, or pub-

lish any advertisement as to the value of any stock or other security, or as to the financial condition of any corporation, or company, issuing or about to issue stock or securities, where any promise or prediction contained in such statement, or advertisement, is known to be false, or to be not fairly justified by existing conditions.

### USURY.

The repealing of the exemption contained in the law of New York regarding interest upon call loans of \$5,000 or over, secured by collateral, has been the subject of much discussion. It has been charged that this exemption in the law regarding the rate of interest has facilitated over-speculation and stock gambling operation.

But whether persons who borrow, or need to borrow, sums of money in amounts over \$5,000, secured by collateral, for the purpose of speculation or otherwise, should be forbidden to pay more than six per cent. interest on their call loans, thus secured, is a serious question which I commend to your careful consideration, and, after all the facts have been presented to you and the subject fully considered, should be dealt with by such remedial legislation as shall be deemed wise and in the best interests of the public welfare.

### RELATIONS BETWEEN EXCHANGES.

Complaint has been made that the restrictions placed by certain exchanges on the right of their members to act for the members of other exchanges, or to belong to such exchanges, result in unfair discrimination and injustice.

The existing rules and practices in this regard should be carefully considered, and if these rules, in fact, or in their actual operation, result in injustice, or in the curtailment of honest business, or in harm to the general

investing public, then I recommend such remedial legislation as the facts require.

#### INCORPORATION OF EXCHANGES.

It has been urged that the law be amended so as to require the incorporation of these stock exchanges, to the end that the authority of the State over the transactions upon these exchanges and the acts of their governing bodies may be directly invoked. On the other hand, it has been argued with great cogency that the power of discipline possessed by the governing bodies of these exchanges over the conduct of their members, which can now be exercised in a summary manner, would be curtailed and frustrated by delays and technical obstacles which would greatly impair their just disciplinary powers, and lead to a lowering of their standards of business morality.

The members of these exchanges must realize that many of the customs and rules now controlling them are antiquated and unfitted for present-day purposes, and they should be desirous, in their own interest, of expeditiously adopting corrective measures that, when put into operation, will place the exchanges in harmony with the progressive spirit of the times. Every stock transaction should be above board. Corporations whose securities are bought and sold on these exchanges should be compelled to make regular audited reports. Publicity should be the watchword. The trouble with the exchanges so far as the investing public is concerned, is lack of confidence. It can only be restored by doing business straight and on the square and in the open.

Let us go slow and not act hastily. Ill-considered legislation in regard to the purchase and sale of stocks and bonds might result in serious harm to the financial supremacy of the State, have a tendency to drive capital away from New York, and might disorganize the large

operations of legitimate business now centered in this State, to the detriment of its citizens and the commonwealth generally.

Great care should be taken, therefore, in the consideration and enactment of just laws which, if wisely drawn, will protect the investing public, promote publicity, safeguard the rights of the people, restore confidence, and facilitate our business prosperity, but which, if inconsiderately enacted, may result in a serious disorganization of general business.

WM. SULZER.

After sending the foregoing message to the Legislature, Mr. Sulzer prepared, and had introduced, in the Legislature eleven bills to carry into effect the recommendations contained in the message.

Wall Street fought most of these bills tooth and nail—but the Governor, after a persistent fight, passed them, signed them, and wrote these beneficent laws on the statute books.

The gamblers in Wall Street were furious. They denounced the Governor and plotted his ruin. When the time came, it is known, they aided Murphy in every way they could—openly and secretly—to remove Governor Sulzer.

Every recommendation made in that message, Governor Sulzer finally succeeded, after an heroic fight, in writing upon the Statute Books of the State. In doing this he aroused the hatred, and the enmity, and the bitter antipathy of influential Wall Street gamblers. They aided Mr. Murphy and the system, and the railroads and the big corporations, in doing whatever could be done to get William Sulzer out of office.

As a prominent member of the Exchange said: "Sulzer made Wall Street eat out of his hand; but Wall Street had its revenge."

## CHAPTER XXXII.

**MR. SULZER'S SUCCESSFUL EFFORTS TO REPEAL THE NOTORIOUS CHARTER OF THE LONG SAULT DEVELOPMENT COMPANY.**

During the closing days of Governor Hughes' administration there was lobbied through the Legislature an iniquitous bill granting a charter to "The Long Sault Development Company," giving that corporation practically all the tremendous water power rights of the State of New York, on the Long Sault, in the St. Lawrence River—water power rights in the estimation of experts greater than any in America, and the most valuable asset of the State, so far as its natural resources are concerned.

Many stories are told how the lobbyists, and the accelerators of monopolistic legislation, got through this charter and finally hoodwinked Governor Hughes into approving it. We have not the space to go into that story, but suffice it to say that it is a black page in the legislative history of the State, and its ultimate consummation meant fabulous riches—beyond the dreams of avarice—to the men interested in the gigantic scheme.

It is claimed that this Charter had the financial assistance of the Great Aluminum Trust of America, and behind it were the millions of the House of Morgan. **THE FRANCHISE WAS SAID TO BE WORTH TEN BILLIONS OF DOLLARS.**

Mr. Sulzer is a true conservationist, and was one of the earliest statesmen of our country to see the value to the people of its natural resources, and to demand that they be conserved and utilized for the benefit of all the people.

When Mr. Sulzer became Governor he looked into the unsavory story of the Long Sault charter. He knew something of it from his experience as a legislator in Washington. He concluded that the thing for the State of New York to do was to repeal this charter, and to get back this great water power, sufficient, according to experts, to give the people of the State of New York for a thousand years to come all the heat, and all the power, and all the light they will require.

Mr. Sulzer knew that if he could restore to the people this right, which had been taken away from them during the Hughes Administration, he would do more for the future welfare of the people of New York than could be done by any other single thing that he could accomplish during his administration. So he sent to the Legislature the following message on the subject matter:

STATE OF NEW YORK  
EXECUTIVE CHAMBER

ALBANY, *January 13, 1913.*

TO THE LEGISLATURE:

In my recent message I recommended for your careful consideration, the conservation of the natural resources of the State, and their development and utilization for the benefit of all the people.

We are the trustees of future generations. We must protect and preserve the rights of those who come after us. We should be true to our trust. This is the duty of the day, and the real solution of the problem of conservation.

The State of New York, in my opinion, is now committed to the policy of conserving its natural resources, and particularly of developing our vast water powers, so that they may be of benefit to all the people of the State.

In this connection, I desire to call your attention to

the unconstitutionality of a charter which was attempted to be granted by the Legislature of 1907 to the Long Sault Development Company by chapter 355 of the Laws of 1907.

I am of the opinion that said act is unconstitutional and void for the following reasons:

1. That the act in question contravenes section 18 of article 3 of the State Constitution, which provides that the Legislature shall not pass a private or local bill granting to any private corporation, association, or individual any exclusive privilege, immunity or franchise whatever. This bill is private and local and grants an exclusive privilege, as contemplated by section 18 of article 3 of the Constitution.

2. It violates section 7 of article 7 of the State Constitution, which provides that the lands of the State now owned or hereafter acquired, constituting the Forest Preserve as now fixed by law, shall be forever kept as wild forest land, and shall not be leased, sold or exchanged or taken by any corporation, public or private.

The bed of the St. Lawrence river which, by the act in question, is directed to be conveyed to the Long Sault Development Company, is owned by the State and was so owned at the time the provision of the Constitution was adopted, and was included within the Forest Preserve, as defined by section 100 of chapter 332 of the Laws of 1893, describing the lands included within the State Forest Preserve.

3. The act in question is a private bill and embraces more than one subject, and is, therefore, in violation of article 3, section 16 of the State Constitution which provides that no private or local bill which may be passed by the Legislature shall embrace more than one subject, and that shall be expressed in its title.

4. The Act is invalid as being in excess of the powers of the Legislature, in that it provides for the aliena-

tion by the State to the Long Sault Development Company of title to the land in the bed of the St. Lawrence river. The title of the State in those lands is a sovereign right, rather than a proprietary title. It is inconsistent with that right, which must be exercised for the benefit of the whole people, that the title to the bed of a navigable stream should be granted in fee to a private corporation.

The vast water power available in the Long Sault constitutes one of the State's greatest natural resources. The advances in the art of electrical transmission makes it economically feasible to use the power throughout the State. At present it is going to waste. It is for the interest of all that this power should be developed and utilized by the people and for the people. Cheap power will enlarge the use of electricity for domestic and commercial purposes; stimulate industry; increase our wealth and add to our population. Private interests should not be allowed to exploit and monopolize the same. The State should develop this power for the benefit of the ultimate consumer.

Investigations made by the engineers of the State demonstrate, among other things, that a full economic development at the Long Sault rapids will produce one million (1,000,000) horsepower, of which, by treaty arrangement with Canada, it is to be expected that New York will receive no less than one-half. It is hard to conceive of the vastness of five hundred thousand (500,000) horsepower, transmuted into electrical energy. It is nearly three-quarters of the sum total of all the water powers now developed in New York State, including that at Niagara. It is estimated to be almost sufficient to run all the industries of our State which are now operated by steam power, exclusive of steam railways, but inclusive of electric railways. These two facts may help to show the importance of this vast power to the industrial welfare of our State.

At present it is reported as practicable to transmit power from the Long Sault rapids to New York city for steady, continuous loads much cheaper than such loads can now be carried with steam power. This will inevitably result in a great saving to the consumer, and be of inestimable value to the State.

In order that we secure for all our citizens the many and the lasting beneficial results of the proper development of our natural resources, particularly of our now unused water powers, in accordance with our constructive policy in these matters, to which our State now stands committed, I recommend that chapter 355 of the Laws of 1907—the Long Sault Development Company's charter—be immediately repealed.

WM. SULZER.

STATE OF NEW YORK  
EXECUTIVE CHAMBER

ALBANY, May 8, 1913.

Memorandum filed with Senate Bill, Printed No. 110,  
entitled:

"An act to repeal the Charter of the Long Sault  
Development Company.

APPROVED

Concerning this bill I sent a special message to the Legislature, dated January 13, 1913, calling the attention of the Legislature to the fact that chapter 355 of the laws of 1907, which purported to grant a charter to this company was, without doubt, unconstitutional, and demanding its repeal for the best interests of the State.

This charter, granted by the Legislature to the Long Sault Development Company, was not only violative of the State Constitution, but its provisions were in other respects improvident, unwise and indefensible, both from an industrial and an economical point of view.

The repeal of the charter by this bill, to which I now give my approval, will secure to all our citizens the beneficial results of the proper development of our natural resources particularly of our most important unused water powers, in accordance with the constructive policy of real conservation to which the State of New York now stands committed.

WM. SULZER.

The citizens of New York have no idea, and will never know, how hard Governor Sulzer worked to get back for them this great water power. They will never know about the threats the friends of this monopoly made to the Governor. They will never know of the subtle attempts which were made to influence him. They will never know the secret and powerful enemies the Governor made in the struggle he kept up to repeal the Long Sault charter.

Sulzer won the fight for the people. Sulzer saved untold billions of wealth for the State. Yes, that is all true—but Sulzer sacrificed himself in the struggle to the hatred and the enmity of the Special Interests and the System. And when the time came they all combined to help Murphy oust him from office. The newspapers that aided in the conspiracy know all about it—but they will never tell. Some day an honest historian will dig up all the facts and tell the truth about the matter.

## THE GOVERNOR

### CHAPTER XXXIII

#### MR. SULZER'S GREAT FIGHT FOR HONEST AND DIRECT PRIMARIES.

In all the history of America no Governor ever made a better fight for a great reform than Mr. Sulzer made for honest and genuine Direct Primaries.

In his first message to the Legislature Mr. Sulzer said regarding Direct Primaries:

"We are pledged to Genuine Direct Primaries, State-wide in their scope and character, and I urge the immediate adoption of such amendments to the existing primary law as will make complete and effective the Direct Primary system of the State."

During the early weeks of his administration, Governor Sulzer urged Republicans and Democrats in the Legislature to get together and pass an honest and a genuine direct primary bill, State-wide in its scope and character, in accordance with the promises of the political parties, and he gave them his own ideas and views as to what amendments the voters wanted in that connection. The members of the Legislature listened to the Governor and dilly-dallied with the matter. Nothing was done.

The Governor knew, of course, that the Bosses were against genuine direct primaries, and that whatever was finally accomplished would have to be accomplished through a fight. The Governor wanted to put off the fight as long as possible. He was anxious to avoid an open fight with the Bosses until he had put through the Legislature certain other reforms he was advocating, and most anxious to write upon the Statute Books.

Now and then certain newspapers urged the Gov-

## THE BOSS, OR

ernor to fight for direct primaries, and hardly a day passed that friends of this reform did not come to Albany and urge the Governor to send a Special Message to the Legislature outlining exactly what the Governor thought should be done to give the voters of the State a real direct Primary Law.

The Governor advised these newspapers, and these well intentioned citizens to be patient. "The fight will come soon enough," he would say. "When it does come I trust the newspapers and the citizens who are urging me, day in and day out, to fight will stay with me in the fight, and not run away." He told them that he was more in favor of a real direct primary law than any other man in the State, and that sooner or later the voters would get it, but that they would only get it through a hard fight; that he was going along the lines of least resistance, and was anxious to get through certain other reform legislation, in the interest of the general welfare, before he would begin his direct primary fight. He moved forward, however, slowly but surely in the struggle.

The Governor learned the leaders in the Legislature intended to do nothing to amend the Primary Law, and were getting ready to adjourn in May. Then he wrote and sent to the Legislature the following clear and concise special message for a simpler and shorter ballot and for direct State-wide primaries.

STATE OF NEW YORK  
EXECUTIVE CHAMBER

ALBANY, April 10, 1913.

TO THE LEGISLATURE:

As the legislative session is drawing to a close, I deem it my duty, in the interest of the general welfare, to again call your attention to the insistent demands of the voters, throughout the State, for a more simple and shorter ballot; and for direct State-wide primaries.

To that end I renew my recommendations that the

Legislature take up these very important questions without further delay, and pass bills ere the adjournment for their accomplishment.

The Democratic party in convention assembled, at Syracuse, adopted the following plank as a part of its platform:

"The Democratic party was the first to recognize the demand for a State-wide direct primary. We again declare in favor of the principle of the direct primary, and we pledge our members of the Legislature to adopt such amendments to the existing laws as will perfect the direct primary system."

The Progressive party in its convention, last fall, adopted the following plank as a part of its platform:

"We pledge the enactment of a real direct primary law applicable to every elective office."

The Republican party in its convention, last year, adopted the following plank as a part of its platform:

"We favor the short ballot and the direct nomination of party candidates."

It is thus apparent that the leading political parties in our State are irrevocably committed to this salutary reform. As a matter of fact, all the members of the Legislature are bound by these pledges, and will be false to their promises unless legislation is enacted at this session for a State-wide direct primary.

Believing as I do in these reforms I renew my recommendations, and unhesitatingly affirm that nothing will gratify me more than to be able to attach my signature to bills that will give the people of the State the best election laws, and the most complete direct primary law, possessed by any State in the Union.

It is my opinion that the voters of the State are in favor of nominating all candidates for elective office from the Governor down to constable. The primary law should be as simple, and as honest, and as practicable, as legislation can make it. Every safeguard now thrown

around the ballot box on election day should be invoked to protect the ballot box on primary day.

The electors can rely on me to favor these changes in our election laws as I shall every other reform to restore the government of the people to the people. I have always claimed that the people can be trusted to conduct their government, and were just as capable of nominating candidates for office as they were of electing candidates to office. In a government such as ours we must rely on the people, and we should legislate in their interest and to promote their welfare.

If it is wise to trust the people with the power to nominate some public officers, I am sure it is wise to trust them with the power to nominate all public officers. I believe it is as wise to trust them to nominate a Governor as to trust them to nominate a constable, and as wise to trust them to nominate a Judge of the Court of Appeals as to trust them to nominate a justice of the peace.

The people have been given this power in many other States and they have used it to bring about greatly improved conditions. Let the Empire State put itself in line with the foremost States in all the Union, by favoring nominations by the people, for thus only can we secure a government of the people.

While the main defect in our primary laws is that we have not made it applicable to State officers yet there are other defects that we should remedy. Primary ballots in some districts in New York city have been from eleven to fourteen feet in length, and a law placing before an elector on primary day such a ballot as this deserves the ridicule it has received. As long as Assembly districts are made the unit of representation such ballots will be possible, and I recommend that election districts instead of Assembly districts shall be made the unit of representation.

I also recommend the abolition of all committee designations; the prohibition of the party emblem on primary ballots; the removal of the party circle from the primary ballots; the prohibition of the use of party funds at primary elections; and of the establishment of a State committee membership of one hundred and fifty—or one for each Assembly district.

I further recommend reducing the number of names required on a nominating certificate; the authorization of registration on primary day; and a proper limitation of the amount that may be expended by any candidate for the purpose of securing a nomination. The law should also prescribe the expenses which may be lawfully incurred in connection with candidates for nomination, and should insure the publicity of all expenses.

The enactment of these regulations into law will, I am confident, permit the voters of the State to construct political organizations from the bottom upwards, instead of permitting them to be constructed from the top downwards. The power which controls organizations is usually the power that controls nominations, and the power which controls nominations is the power which controls public officials.

How vitally important, therefore, that this power should be wielded by the many and not by the few. The changes which I advocate in our primary law are in harmony with the spirit of the times and of democratic institutions. They aim to restore to the voters rights and privileges which have been usurped by the few, for the benefit of invisible interests which aim to control governmental officials, to pass laws, to prevent the passage of other laws, and to violate laws with impunity. To these invisible powers I am now, always have been, and always will be opposed.

No government can be free that does not allow all its citizens to participate in the formation and execution of its laws. Every other government is a form of des-

potism. The political history of recent years illustrates the truth that under the forms of democratic government popular control may be destroyed, and corrupt influences, through political organization, establish a veritable despotism.

That popular government, under God, shall be resurrected and made actual, the Legislature of this State is urged to carry forward the work of reforming our election and primary laws, so that in matters political every man shall count for one and no man shall count for more than one.

WM. SULZER.

The "marionettes" of the Bosses in the Assembly and the Senate gave little heed to this statesmanlike recommendation. Toward the end of the legislative session, however, the "Creatures" of the "Bosses" in the Legislature got together and sent the Governor the notorious Blauvelt bill, and the Bosses demanded that the Governor sign it.

When this bill came before the Governor, he knew that the time had come for him to take a decided stand in this important matter, and let the Legislature, the Bosses, and the voters know exactly where he stood, and what he intended to do. He immediately vetoed the Blauvelt bill in the following caustic and pungent veto message:



"PACKEY" McCABE AND HON. JAY W.  
FORREST, OF ALBANY.

"We are going to get that fellow before we are through with him," said McCabe to Forrest, referring to Governor Sulzer, after the Governor had refused to appoint McCabe a Public Service Commissioner.

## CHAPTER XXXIV

SULZER'S RINGING VETO OF THE FAKE  
PRIMARY BILL.STATE OF NEW YORK  
EXECUTIVE CHAMBER

ALBANY, April 24, 1913.

**To the Senate:**

I herewith return, without my approval, Senate Bill, Printed No. 2110, entitled:

"An act to amend the election law, generally."

This bill claims to be the fulfillment of the pledges of the last Democratic, Republican and Progressive State platforms, and purports to change and perfect the existing Primary and Election Laws, in establishing genuine, State-wide direct primaries for all candidates to be elected by the people.

As a matter of fact, the bill is a fraud, and does nothing of the kind.

Let me state that I have given careful examination and much consideration to the amendments contained in this bill. It is my conclusion, as I believe it must be the conviction of any fair-minded man who will examine this measure, that the slight amendments made to the existing laws are mere patchwork, changing only a few minor details that clearly demonstrate a design to tinker with a grave subject, by way of subterfuge, in order to deceive the voters.

These amendments will accomplish no honest reform, and would read like an amusing farce, if it were not for the fact that the members of the present Legislature, who sanctioned its enactment, are irrevocably

pledged and bound by the highest moral and political obligations to pass an honest and a genuine State-wide Direct Primary Law.

Hence, in the light of all we know concerning this measure, it must be branded as enacted in bad faith; wholly fraudulent, and a glaring breach of the pledged faith of every member of the Legislature. There is no escape from this conclusion.

This measure is a fraud on the electors of our State; and is in no sense a real and an honest State-wide Direct Primary Law; nor can it conceivably be said, from any point of view, to fulfill the pledges in the State platforms of the respective political parties in our commonwealth.

Among the many shortcomings of the bill, it may be pointed out that it does not extend the system of direct nominations in any way. The reduction of the stipulated number of signatures for independent nominations to a minimum of 5 per cent. of the votes for Governor in a political unit would actually compel an independent candidate, in many districts in New York city, for example, to obtain a greater number of signatures to his petition than are necessary under the present law.

The bill does not abolish the organization column, on the primary ballot, and the use of the party emblem. The suggested change in the style of ballot is not a change at all in the system of committee representation, and necessarily the primary ballots, particularly in New York city, will continue to reach the ridiculous and scandalous length of fourteen or more feet.

It leaves in the present law the provision for State conventions; the designation of candidates by political committees; the use of the party emblem by the organization committees; and the possibility of voting the whole ticket by placing a cross in the circle. These are impediments to genuine reform in our election and

primary laws, which the citizens have the right to expect their representatives in the present Legislature to eradicate and to abolish.

The amendments contained in the bill concerning the reduction of the number of registration days in the county from four to two; the limitation of the number of election commissioners in a county to two; and the reduction of the number of signers in some cases to independent petitions are satisfactory, so far as they go, but these possibly good features are all contained in the State-wide Direct Primary Bill, which I caused to be prepared, and to be introduced, for the consideration of the present Legislature after I became thoroughly convinced that the members of the Senate and the Assembly did not intend to redeem, in this manner, their pledges to the people.

As I have frequently said before, and which I desire now to reiterate with the greatest possible sincerity and earnestness, every member of the present Legislature is bound by the highest moral and political obligations to vote for a genuine, honest and real "State-wide" direct primary law, that will permit the voters of the State to construct and control political organizations from the bottom upward, instead of permitting them to be constructed and controlled, as at present, from the top downward. It must be done, or we will stand convicted of deliberately getting office under false pretences.

The record will show that for years I have been a consistent advocate of genuine direct primaries, and I firmly believe that the enactment into law of a State-wide direct primary bill, along the lines of the measure I have caused to be prepared, and to be introduced in the Legislature, will accomplish what the voters desire, and reflect greater credit on the members of the present Legislature than the passage of any other act that can, or will be presented, for the consideration of its

members this year. There should be no adjournment until this is done. Let us be honest with the voters and keep our pledges to the people. At all events, as the Governor, I shall, and if the Legislature does not, I want the voters to know the reason why.

When we consider the waste, the extravagance, the inefficiency, and the corruption which have recently been brought to light in connection with the administration of public affairs in our State, and which are the cause of painful humiliation to every thoughtful and patriotic citizen, all due, in no small degree, to the fact that in recent years political power has been gradually slipping away from the people who should always control it and wield it, there can be no doubt as to the necessity of this legislation and as to our duty in this all important matter.

Every intelligent citizen is aware that those who subvert free government to their personal advantage have their greatest opportunities to do so through the adroit and skilful manipulation of our system of party caucuses and political conventions. We have been given leadership dishonorable to the various political parties of the State, and we have been given party tickets which reflect this dishonorable leadership in disgraceful secret alliances between big business interests and crooked and corrupt politics. It must cease or our free institutions are doomed.

The honest citizens of our State for years have demanded an end to these shameful conditions. They now insist on primary reform, thoroughgoing and radical; direct and complete, and I would be unfaithful to these salutary demands of the people of this State, and to the pledges of the political platform of my own party, if I were to give my official approval to this bill, which while it might do something to improve our primary law, goes such a short distance in the right direc-

tion that it would seem like giving a stone to the voters when the people are asking for bread.

If we fail to make our system of direct primaries apply to State offices, we have left off our work of primary reform where the people expected us to begin. The widespread demand for direct primaries in our State found its origin mainly in the dissatisfaction arising from the failure of our State conventions to faithfully reflect the sentiments of the party voters. Every student of our recent political history knows this, and no one knows it better than I do.

In withholding Executive approval of this bill I am prompted by the hope and the confidence that the Legislature, ere it adjourns, will sincerely redeem the promises regarding State-wide Direct Primaries of the political platforms of the Democratic, the Republican and the Progressive parties. In my judgment this must be done. The Democratic platforms adopted in the last two State conventions are explicit declarations for a "State-wide" direct primary. There can be no "State-wide" direct primary that does not apply to all State offices. Who can successfully deny this?

Any proposition less than this begs the whole question, and violates the pledged faith of all the parties to every voter in the State. I am now, and always have been, and always will be in favor of carrying out our platform pledges to the letter. The best way to strengthen a political party is to keep the faith. I want to restore to the people of the State the complete control of their State government; to afford the voters of the State the freest expression of their choice of candidates for public office; and I believe that my pending "State-wide" Direct Primary Bill embraces an honest, a sincere, a comprehensive, and a practical plan for these accomplishments.

Besides, I consider that my "State-wide" Direct Primary Bill is an absolutely non-partisan measure, which

faithfully reproduces, and will carry into practice, the pledges of the three great political parties concerned in the last State election; and that, on its merits, it will meet the approval and have the support and the backing of a large majority of all the citizens of this State; and I am convinced that every member of this Legislature is solemnly bound in honor by the highest moral and political obligations to vote for its enactment; and those who fail to do so will be forced to yield to public opinion and be replaced by others who will vote to give the State an efficient State-wide direct primary law, that will embrace every office, from Governor down to constable.

It is unnecessary for me, or any other man, to say that in continuing the delegate system in nominating State officers, electors are not allowed to nominate directly. In continuing the delegate system we are, therefore, ignoring and repudiating our platform pledges and betraying the people with false pretences. I shall not be a party to such a repudiation; I shall not endorse such a betrayal of the people. No political party can make me a political hypocrite.

WM. SULZER.

That burning veto made the bosses, and their minions in the Legislature sit up and take notice—but they did nothing else—and the Legislature finally adjourned on May 3, 1913.

When the Legislature quit without doing anything for genuine direct primaries, the Governor said, "he had just begun to fight for the reform," and would summon the members back in extraordinary session to give the people a real Direct Primary Law.

Many friends advised the Governor not to call an extra session of the Legislature for direct primaries—they feared if the Governor did—the bosses would still control the members and instead of getting direct pri-

maries—the bosses, mad and exasperated, and aided by the corrupt system, would attempt to get rid of the Governor.

Wm. Sulzer, however, was in the fight. He had gone into it slowly—but once in he would not turn back—no matter about consequences—so long as the cause was just.

He crossed the Rubicon—and called the extra session for June 16, 1913. The Bosses, and their wax figures, were furious. They swore vengeance against the Governor. Wm. Sulzer laughed at them, and went on with the fight. He cleaned up the work of the Executive Chamber, and made a tour of the State, delivering about fifty speeches for real direct primaries. A few of these speeches follow, and show their purport and trend.

## CHAPTER XXXV

## “WHY I AM FOR DIRECT PRIMARIES.”

SPEECH OF GOVERNOR SULZER AT THE AUDITORIUM IN  
BUFFALO, MONDAY NIGHT, MAY 19, 1913.

Mr. Sulzer said:

“It is self-evident to me that if the people are competent to directly elect their public officials they are also competent to directly nominate these officials.

“If it is important for minor officers to be nominated by the people, it is still more important that the people be given the power to nominate candidates for United States Senator and for Governor. That if public service corporations and special interests seek to control public affairs for the promotion of their selfish ends through the manipulation of party conventions, the plain people should seek to do the same thing by taking in their own hands the right to nominate directly these important officials.

“The truth is that the delegate system of nominating officers has completely broken down, and proven itself not only inadequate to carry out the wishes of the people, but it has become an instrumentality through which the powers of government are prostituted and brought under the dominion of unscrupulous men seeking special privileges.

“In this campaign for direct primaries, I am appealing to the voters, and they are responding, as they always will respond when their rights are jeopardized and their liberties are subverted, and they hear

the call of duty and see the opportunity to assert effectually their inherent power and inalienable rights.

"From every farm, and hamlet, and town, and city come voices declaring that the time has arrived to dissolve the political bonds by which the few have enthralled the many by skilful, secret and disgraceful manipulations of party conventions, and to establish state-wide direct primaries, abolishing state conventions, as they already have been abolished in two-thirds of the States which form this Union.

"Every day I see accumulating evidence of the truth, which I stated in my recent direct-primary message to the Legislature, that those who would subvert the powers of government to personal advantage and to special privilege find their greatest opportunities to carry on this nefarious work through the skilful manipulations of political conventions.

"Political conventions must go. Disgraceful secret alliances between special privilege and crooked politics must cease. That is all there is to it.

"The power of Invisible Government is greater in New York than in any other State, because in New York are centered the great financial interests of the nation. Most of these interests are sound, legitimate and honest, but some of these interests are illegitimate, and it is the last mentioned kind which are fighting the salutary reforms which I am advocating—reforms which will faithfully carry out the letter and spirit of the political platforms of every party in this State.

"The spirit of true democracy is summed up in the slogan 'Let the people rule.' They cannot rule until they obtain a successful method of nominating the candidates of all political parties.

"New York State is one of the last States in the Union to capitulate to the present-day demand for popular rule in the nomination of candidates for all public

offices. It is bound to come in New York. The fight is on, and the people are in earnest.

"The power of special privilege is making its last stand in our State, but will be overthrown, and overthrown speedily, by a righteous public sentiment.

"To have direct primaries and to have state conventions is impossible. Direct primaries have been devised to permit the people to nominate their officers without the intermediary of delegates, and as, of course, you cannot have state conventions without delegates, it follows that state conventions must go and honest direct primaries must come. There is no middle ground. There can be no compromise. Those who want to straddle are against us. You cannot compromise a principle.

"The widespread demand for direct primaries originated mainly from the scandalous failure of state conventions to faithfully reflect the sentiment of the voters. Again and again candidates having strong support in state conventions have been set aside and the bosses have brought forward at the last moment a dark-horse candidate and secured his nomination through skilful political manipulations.

"The Democratic party, in the State of New York, in its last state convention, declared in emphatic terms for direct primaries.

"I believe it is my duty, as the Governor, elected on that platform, to do everything in my power to carry out this solemn pledge. Every Democrat in the State elected on that platform should uphold my efforts to redeem the pledge and keep faith with the voters.

"So far as I am concerned there will be no step backward. I am in the fight to stay and to the end. Hence I urge every honest Democrat in the State who believes in fair play, who wants to keep good faith, and who favors redeeming solemn party promises to aid me in the struggle.

"We will win in the end. The leading newspapers

of the State; seven-tenths of the voters of the State, regardless of party affiliations; and the overwhelming popular sentiment of the people, are behind the cause for direct primaries and state-wide at that.

"I am now, and always have been, and always will be in favor of carrying out our platform pledges to the letter. The best way to strengthen a political party is to keep the faith. I want to restore to the people of the State the complete control of their State government to afford the voters of the State the freest expression of their choice of candidates for public office; and I believe that our 'state-wide' direct primary bill embraces an honest, a sincere, a comprehensive and a practical plan for these accomplishments.

"Besides, I consider that our 'state-wide' direct primary bill is an absolutely non-partisan measure, which faithfully reproduces and will substantially carry into practice, the pledges of the three great political parties concerned in the last State election; and that, on its merits, it will meet the approval and have the support and the backing of a large majority of all the citizens of this State.

"I am convinced that every member of the Legislature is solemnly bound in honor, and by the highest moral and political obligations, to vote for its enactment; and those who fail to do so will be forced to yield to public opinion and be replaced by others who will vote to give the State an efficient State-wide Direct Primary Law, that will embrace every office, from Governor down to constable.

"Is it necessary for me, or any other man, to say that in continuing the delegate system in nominating State officers, electors are not allowed to nominate directly? In continuing the delegate system, we are therefore ignoring and repudiating our platform pledges and betraying the people with false pretenses. I shall not be a party to such repudiation. I shall not endorse such a

betrayal of the people. No political party can make me a political hypocrite.

"The Democratic candidates promised the people in the last campaign that if we were successful, we would give them—among other things—a State-wide Direct Primary Law.

"I ran for the Governorship on the platform of the Syracuse convention. I helped to write that platform, and after I was nominated I stood on it throughout the campaign—squarely and honestly.

"At the request of my party I made a campaign through the State. They tell me I made more speeches and spoke to more people during the contest, than any other candidate in all the history of the State. I told the people that if I were elected I would do everything in my power to carry out the pledges of my party as enunciated in the Syracuse platform. Many doubted the sincerity of these campaign speeches; but there was one man who never doubted their sincerity, and that is the man who is now the Governor of the State.

"When I cannot be honest in politics, I shall get out of politics. I believe honesty in politics will succeed, just the same as I know honesty in business will succeed. If anyone doubts that, all he has to do is to consider what has been accomplished in this country during the past quarter of a century by the men who have dared to be true to the people, and have dared to be honest in politics.

"When I make a promise to the people I keep it, or I frankly tell the people why I cannot keep it. When my party makes a promise to the people, I want my party to keep the promise, or I want the people to know the reason why.

"Let us keep the faith. That is where I stand, and I shall stand there to the end. If any Democrat is against

me in my determination to keep Democratic faith, I must of necessity be against him.

"It is all very simple to me. If any Democrat in this State is against the Democratic State platform that man is no true Democrat; and as the Democratic Governor of the State I shall do everything in my power to drive that recreant Democrat out of the councils of the Democratic party.

"The record will show that for years I have been a consistent advocate of genuine direct primaries, and I firmly believe that the enactment into law of a State-wide Direct Primary Bill, along the lines of the measure we have caused to be prepared, and which was introduced in the Legislature, will accomplish what the voters desire, and reflect greater credit on the members of the present Legislature than the passage of any other act that will be presented for their consideration this year."

## CHAPTER XXXVI

SPEECH OF MR. SULZER, IN THE OPERA  
HOUSE, CORNING, N. Y., MAY 20, 1913.

(Reprinted from Corning Gazette. Stenographically  
Reported.)

Mr. Sulzer said:

"There are only two kinds of primaries—direct and indirect. The latter constitutes the reactionary system; the former constitutes the progressive system. I am for the direct system. I want the people to nominate because I want the people to rule. The power to nominate is the power to control. Do not forget that. (Applause.)

"To have direct primaries and to have State conventions is impossible. Direct primaries have been devised by the friends of good government to permit the people to nominate their officials directly without the intermediary of delegates, and as, of course, you cannot have State conventions without delegates, it follows that State conventions must go and honest direct primaries must come. There is no middle ground. There can be no compromise. (Applause.)

"It is self-evident to me that if the people are competent to directly elect their public officials they are just as competent to directly nominate these officials.

"The bosses say they will beat me. I have heard that before. The bosses could not beat me years ago when I was an Assemblyman for five years in this State. (Applause.) They could not prevent me going to Congress, and I stayed there in spite of them for eighteen years. (Applause.)

"They say they will destroy me, but I tell you no man can destroy me but William Sulzer. (Applause.) I

care very little about the political future, and less about personal consequences. I shall go on doing my duty to the people as God gives me the light to see the right. (Applause.)

“During the last campaign they tell me I spoke to more people than any other candidate for office in all the history of the State. I told the people simple truths from the bottom of my heart. Many doubted the sincerity of my speeches in the campaign, but there was one man who never doubted the sincerity of those speeches, and that was the man who is now the Governor of the State. (Applause.)

“It is all very simple to me, because I am a simple man. I am just the same to-day, as Dr. Bush here can tell you, as I was in the Legislature a quarter of a century ago. I am just the same to-day, as Congressman Underhill here can tell you, as I was in Congress. I haven’t changed. I don’t intend to change. Others have changed, and if the fight is on, it is their fault, and not mine. (Applause.)

“All I want to be is honest. (A voice: ‘You’re right.’) All I want to do is keep the faith; all I desire is to tell the truth. I want to make good. (Applause.) When I am dead and buried the only monument I want is to have the people say in their hearts—‘Well done, Bill.’ (Great applause.)

“I am not working for the bosses. I am working for the people. (Applause.) I want to do something for my fellow man. I know, in the last analysis, that when the future historian pens the record of my administration I will be judged not by what I say but by what I have accomplished. (Applause.)

“I am trying to do things. Do things for myself? No! not at all; but to do things for all the people. Do you think it is easy? If you only knew how I am threatened; if you only knew the obstacles that are put in my way; if you only knew how discouraging it is at

times, you would sympathize with me in the struggle, and every honest man would be with me in the fight for the right." (Applause.)

(A voice: "You have a crowd in this part of the State that will back you up.")

"Thank you for that. What that man says I hope is true. At this time I want to congratulate you for sending to the Legislature Senator Seeley, and Assemblyman Brewster, and Assemblyman Seely. (Applause.) They voted for direct primaries. They are good men. They are honest representatives. They have served the people faithfully. They are entitled to praise and commendation. They stood by you at Albany. (Applause.) They stood by you when every effort was made by the bosses, to get them to vote against your interests. All honor to these representatives. Their votes for direct primaries were right, and they will never have cause to regret it.

"My friends, what is the issue? It is very simple. It is the people against the bosses. (Applause.) A child can understand it. You know there are two kinds of taxes—direct and indirect. So I tell you there are two kinds of primaries—direct and indirect. Direct primaries are the kind the people want. Indirect primaries are the kind the bosses want. If you are for the people you are for direct primaries. If you are for the bosses then you are for indirect primaries.

"The friends of direct nominations are fighting for a principle. A principle is fundamental. You cannot compromise it. (Applause.) It is ridiculous to try, although a few of the bosses are trying to do it. If you are for direct primaries you are in favor of the voters nominating all candidates for public office." (Applause.)

(A voice: "That's right.")

"In the beginning of our history there were men who said that the people could not be trusted; that it was

better to have a King around than to let the people govern themselves; but Washington, and Franklin, and Jefferson, did not think that way. The men in those days who said the people could not be trusted were called Tories. We have Tories now, just as the patriotic fathers had them, only the Tories of to-day are called Political Bosses. (Applause.)

"The political bosses tell us that we may have sense enough to nominate a constable, but not brains enough to nominate a Governor. They are willing to let us nominate a justice of the peace, but we must not think of nominating a Judge of the Supreme Court. (Laughter.)

"The truth is, I trust the people, and the people trust me. We understand each other, and we know how to get along together. That is the reason, I believe, why it is that during all the years I have been in public life,—just half of my natural life—I have never been beaten for public office, although most of the time I had to run in a Republican district. (Applause.)

"It is my experience that the man who trusts the people never trusts them in vain. I know in trusting them now I shall not be disappointed. (Applause.) There has never been a time in all our history when a public man trusted the people that the people did not trust that public man. There has never been a time when the people, deprived of political power at the formation of the government were given an opportunity to get that political power in their own hands that they did not take it.

"If anybody doubts that let him read the story of the adoption of the amendments to the Federal Constitution. All of these amendments have been written in the Constitution by the rank and file, against the protest of men who said the people could not be trusted. (Applause.)

"Our fight for direct primaries is the old question over again. The few want to govern, because they do not

trust the people. I am on the side of the people. I declare the people are competent to govern themselves, and I want to trust them with their own government. If the people want to control their government they must nominate the candidates for public office. They cannot control unless they nominate. The power to nominate is the power to control. (Applause.)

"Why is it that two men in our State, to-day, control the Legislature? Because these two men control the nominations of the members of the Legislature. Unless the legislators do what these two men tell them to do they cannot be renominated. Take away the power to nominate, and you take away the power of the boss. (Applause.)

"That is the reason why the bosses are against our bill for direct primaries. Can you blame the bosses? Well, hardly. But when we want to give the people the power to be their own bosses can anyone doubt that the people will not gladly take this power to nominate. (Applause.)

"De Tocqueville—in the greatest story that has ever been written about the free institutions of America—says that this Republic will never perish because it possesses the power to legislate, and to adjudicate, and to execute. Our government is indestructible, as was demonstrated during the Civil War, because it has this power to execute. (Applause.)

"As the Governor of the State I realize every day, more and more, the tremendous agency of this power to execute. What do the bosses, and the special interests, care about the laws if they can control the man who executes the laws? Nothing. Why are they fighting me so bitterly? You know. Because they cannot control the man who is executing the laws of the State of New York. (Applause.)

"We want to make the people free to control their own government by giving them the power to nominate their own public officials. We assert, and defy success-

ful contradiction, that if the voters are capable of nominating an alderman they are just as capable of nominating a United States Senator. Any assertion to the contrary is an indictment against our intelligence, and a protest against our advancing civilization. (Applause.) Out upon such a proposition. (Applause.)

"Notwithstanding the fact that I have always been in favor of the people nominating all candidates for public office, I went into this struggle for direct nominations slowly and cautiously. All winter I appealed to the members of the Legislature to carry out the promises of the Syracuse platform. I wanted them to keep faith with the voters. I wanted them to help me write on the statute books a Direct Primary Law—State-wide in its scope. (Applause.) They refused to do it. Then I sent a special message to the Legislature telling the members exactly what they ought to do about it. They answered that special message by sending me the abortive Blauvelt Bill to make matters worse instead of better. I vetoed it in language that could not be misunderstood. (Applause.) We then sent them our bill. They beat it. How did they beat it? I will tell you how they beat our Direct Primary Bill. First the Democrats caucused against it. Then the Republicans caucused against it. The two great political parties caucused to defeat this bill of the people. I am a pretty good parliamentarian. I have studied parliamentary law for a quarter of a century. I have searched through the precedents, and I tell you that in all the history of parliamentary government this was the only time when two political parties caucused to beat one bill. (Laughter.)

"Do you suppose the members of the Legislature beat our Direct Primaries Bill of their free will and accord? Certainly not. The Democratic members got their orders over the telephone from the Boss in Delmonico's, and the Republicans got their orders from Mr. Barnes in Albany. These orders beat the bill. What a

spectacle of representative government? What an indictment of free institutions. What shall we say when a boss in one part of the State and a boss in another part of the State, acting in concert, compel the members of Legislature to caucus to beat a bill these very members were pledged to enact? There was never anything like it in all the history of our State, and I trust after another election there will never be anything like it again. (Applause and laughter.)

"No man fears direct primaries, except a man whose character, and whose ability, and whose mentality cannot bear the searchlight of publicity. No man fears direct primaries, unless he wants to be the creature of invisible government rather than the servant of popular government." (Loud cheering.)

## CHAPTER XXXVII

ADDRESS OF GOVERNOR SULZER, MAY 21,  
1913, AT THE ELMIRA COLLEGE, THE  
OLDEST COLLEGE FOR WOMEN IN AMER-  
ICA.

(Reprinted from the Elmira Gazette.)  
(Stenographically reported.)

The President of the College, Dr. McKenzie, when he introduced the Governor, said:

"Your Excellency, one of our most beautiful young ladies, Miss Hutchinson, the representative of the Association of Suffragettes, in this college, wants to decorate you."

(The young lady then stepped forward and pinned a bow of satin ribbon on the lapel of the Governor's coat.)

Governor Sulzer said:

"Dr. McKenzie and Ladies: It is a real pleasure for me to meet you, and greet you, on this beautiful afternoon. I had no idea there were so many good looking young women in the Elmira College. (Laughter and applause.) Dr. McKenzie is to be congratulated upon the intelligence, the neat appearance, and the enthusiasm of his students. I would not mind being a teacher here myself. (Laughter.)

"They tell me this was the first college in the world to confer degrees on women. That is something to boast about. I am proud to stand within its walls and testify to my appreciation of its greatness and its liberality. (Applause.) I believe in equal rights to all. I have believed in that all my life. (Applause.)

"Nearly a quarter of a century ago I introduced in the

Legislature of this State a bill to give women the right to vote. The bill did not become a law, but shortly afterwards some narrow-minded men got control of the Constitutional Convention, and fearing that such a bill might pass, they wrote in our Constitution the word "male" so as to restrict to men the right of suffrage. That was an indictment against every mother, and every sister, and every daughter, in the State. I voted against the adoption of that Constitution, because that indictment against our womanhood was in it. (Applause.)

"I hope the day is not far distant when women shall have all the political rights that the men possess. I am in favor of woman suffrage. (Applause.) It will come ere long in our State. (Applause.)

"I am deeply interested in our schools and our colleges. They are great agencies for good. Fifty years ago, Charles Sumner, standing on the floor of the United States Senate, gave utterance to this thought—'the two greatest agencies in the world for the advancement of civilization are good schools and good roads.' There never was a thought uttered truer than that. (Applause.)

"I am glad, as the Executive of the first State in the Union, to testify that we are now doing more in New York for popular education than any other State in America. (Applause.)

"I am glad to be here with the Mayor of your beautiful city, the Hon. Daniel Sheehan, and with Mr. Ganett, the editor of one of our most progressive newspapers, and with this dear old Soldier and Statesman, the Nestor of Chemung County—my good friend Dr. Bush. (Applause.)

"We are making a trip through the State to tell the voters something about direct primaries. You know about the fight we are having in Albany to secure this reform. Perhaps it would not be amiss if I were to

say a word or two to you about the matter before we go away.

"The Bosses tell us the voters have enough brains to nominate a Constable, but they haven't enough brains to nominate a Governor. I differ with them about that. We assert that the voters of the State of New York are just as capable as the Bosses to nominate candidates for public office.

"As a matter of fact I would rather trust the voters to make the nominations than to trust the Bosses. I believe a million and a half voters in the State of New York can nominate as good men for public office as the two political bosses. (Applause.)

"When two men defy the inherent rights of a million and a half voters I know what is going to happen. These two Bosses can prevent the Legislature, which they now control, from passing our direct primaries bill, but when public opinion gets after these Boss-owned members of the Legislature they will ultimately surrender. (Applause.) Time is on our side. There never was a time in our history, and there never will be a time in our history when a couple of political bosses could defeat for long the just demands of a million and a half determined citizens. (Applause.)

"They tell me Prof. McKenzie is a Scotch Presbyterian. My mother's ancestry comes from that stock. I have in me some of that fighting blood. The Bosses said, when I began this direct primary campaign, that I would not fight. That I would be like Hughes and Dix--talk a little, and then give up the struggle. They know better than to say that now. (Laughter and applause.)

"If it is wise to trust the people with the power to nominate some public officers I am sure it is just as wise to trust them with the power to nominate all public officers. I believe it is just as wise to trust them to nominate a Governor as to trust them to nominate a

Constable, and as wise to trust them to nominate a judge of the Supreme Court as to trust them to nominate a Justice of the Peace.

"So if any one tells you that direct nominations is not a good thing, you deny it, and point to what other States have done through the agency of this beneficent reform.

"Our State-wide direct primary bill is a good measure. I am for it. My friends are for it. Every good citizen is for it. The platform of nearly every party is for it. On this issue there is no middle ground. The Democrats of the State must stand with their Democratic Governor for direct primaries, or they must be against the Democratic platform. Every Democrat must decide. All my life I have fought for the right; for simple justice, and for humanity. I shall not change now.  
(Applause.)

"What honest Democrat in our State wants me to be false to our platform; to be a traitor to our party; and to be a deserter in the performance of duty? Let him speak out. In this cause for direct primaries I have no fear of the ultimate result. The people are sure to win.  
(Applause.)

"In conclusion let me thank you for your cordial greeting. I wish all success to the students of this college. You are on the threshold of the larger life—of great expectations—of widening opportunities. You are the coming teachers, and the coming mothers of our country. God bless you—each and every one—and all honor to the man—Prof. McKenzie—and his assistants—for all they have done, and for all they are doing so unselfishly to make you useful women, brave women, and good women—women who will do your duty in every walk of life, here and everywhere." (Long continued applause.)

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## A MAN, THE STATE, THE MOB AND THE BEAST?



From the Albany Knickerbocker Press, 1913

MORE POWER TO THIS PEOPLE'S GOVERNOR.

## CHAPTER XXXIX

## SHALL THE PEOPLE RULE?

SPEECH OF GOVERNOR SULZER, ON DIRECT  
PRIMARIES, AT HARMANUS BLEECKER  
HALL, ALBANY, JUNE 17, 1913.

(Reprinted from the Knickerbocker Press.)  
(Stenographically reported.)

Mr. Sulzer said:

"During the last campaign I appeared on this stage and told those assembled that I stood squarely on the Democratic platform and if elected would do everything in my power to carry out its pledges.

"Many remember that speech. You recollect, no doubt, that I said if I were elected the Governor no influence would control me in the performance of my duty, but the dictates of my conscience, and my determination to do all I could for the people as God gave me the light to see the right.

"Many doubted the sincerity of that campaign speech—but there was one man who never doubted its sincerity—and that is the man who is now the Governor of the State. (Applause.)

"The good people in Albany know me. I am no stranger here. The enemies of honest government cannot place me in a false light with the decent people of our Capital City. Shall the people rule? That is the issue.

"The citizens of the State know that all I am trying to do as the Governor is to keep the faith; to make good the pledges of my party; and to give the people of the

State of New York an honest, an efficient, and an economical administration of public affairs.

"The average citizen would naturally think that is just what I ought to do, and the easiest thing in the world for me to do. But I assure him that notwithstanding that is my desire, it is the hardest task I have ever tried to accomplish.

"Ever since I have been the Governor, every obstacle has been placed in my way, and I regret to say, by men high in the councils of my own party, just because I wanted to do what I promised to do and what my party promised to do. That is all there is to this bitter warfare now being waged against me, by the bosses from one end of the State to the other.

"Suffice it for me to say that my purpose is to restore to the people of the State the complete control of their State government; to afford the voters of the State the freest expression of their choice of candidates for public office; and I believe that our State-wide Direct Primary Bill embraces an honest, a sincere, a comprehensive, and a practical plan for these accomplishments.

"There are only two kinds of primaries—direct and indirect. The latter constitutes the boss system; the former constitutes the progressive system. I am for the direct system. I want the voters to nominate because I want them to rule. The power to nominate is the power to control. Do not forget that.

"Tweed used to say that he cared not who elected the officials so long as he could nominate them. Do you know why? Because the power to nominate officials is the power to control these officials when they go into office. That is all there is to it—and that is the reason the bosses want to keep this power to nominate. The power to nominate makes the boss. That is why every political boss in the State is against direct nominations.

"Tweed was a boss. You remember he challenged the power of the people. He spurned their petitions. He trampled on their rights. With brazen audacity he defied the voters and said: 'What are you going to do about it?' You know the answer. Have the little Boss Tweeds so soon forgotten the tragic fate of Big Boss Tweed? It is an old saying that history repeats itself. (Applause.)

"Now a few words about a little Boss in Albany County—one Patrick E. McCabe. You know something about him and his methods. (Applause.)

"Yesterday he circulated what he calls a bitter attack on me. It was a screed so ridiculous that I suppose I should not dignify it by denial. I hope every one here read this McCabe attack.

"Let me, however, read a letter from Mr. McCabe, sent to me at Washington last December. This letter reads as follows:

SENATE CHAMBER—CLERK'S OFFICE.

ALBANY, N. Y., Dec. 2, 1912.

"His Excellency WILLIAM SULZER, *New Willard Hotel,*  
*Washington, D. C.:*

"My dear Governor.—Again permit me to congratulate you as the Moses of the party.

"You know, I believe the thing which mitigated most against Mr. Dix was that he had not changed the political situation in the State, that under him it remained just as it had been under his several Republican predecessors, and I believe the people resented this more than anything else. What is needed is somebody who will have the courage to change the political situation; one who will have everyone round him in sympathy with his party, and his administration.

"The Democratic party under the Dix administration never recovered from two or three prominent Republican appointments made at the outset of it. To

make yourself the most talked of man in the United States and the most beloved partisan in this State you have but to emphasize your Democracy on the first of January or as soon thereafter as you can. The Democratic party wants vigorous evidence of its success, and you are the man, in my judgment, to bring it about. We have heads of departments here who have nine hundred and ninety-nine reasons why a Republican should not be disturbed and the same number of reasons why a Democrat cannot be assisted.

"Civil service has a tendency to destroy partisanship and leave in its place a class of time serving persons. Instead of being dependents of an administration, they are independents, so far at least as the last two years is concerned. They seem to come and go when they please and perform as little work as they possibly can. It is the greatest breeder of parasites of which I have ever known or heard.

"One forceful administration by you will prove that the people's party is again in power and destroy for a generation what is left of the Republican party.

"Under the conditions which have obtained for the last two years, Republicans have two chances and the Democrats but half a chance. The Republicans have a chance when their party is in and a chance when we are in; the Democrats had no chance when the Republicans were in and have had only half a chance while we have been in. Now, what is wanted is that the Republicans have no chance anywhere under a Democratic administration. You have an opportunity such as has not been given to any young man in public life in this country.

"Mr. Dix thought he could progress by standing still. You have the advantage of knowing what is right because your predecessor was wrong. Your past warrants the Democracy in believing in your future.

"May I remind you that Andrew Jackson was the

first Democrat to reach the Presidency, to rise from humble surroundings to greatness and he owed his success entirely to his vigorous partisanship? So decisive and emphatic was he on questions of party government that the blood of the party to-day quickens to the sound of his name; and I look to hear, during your administration, the party cry of 'Another Jackson has risen.'

"I know that everyone who writes you has a remedy and everyone who talks to you is an adviser; but there is one simple rule which leads in this situation to greatness and that is that you manfully maintain the position of being a militant Democrat.

"I trust you will overlook, perhaps, the needlessness of this letter to you. It is not alone interest in you, but interest in the party that prompts me to write you thus.

"With best wishes for your good health and unprecedented success in your new undertaking, I remain,

"Sincerely yours,

"PATRICK E. McCABE."

(Great laughter, and applause, interrupted and greeted the reading of this letter.)

"This letter from Mr. McCabe speaks for itself, and makes mighty interesting reading, as Horace Greeley used to say, in view of the libelous screed against me this same Mr. McCabe has just caused to be printed. I might ask who paid for the printing?

"I was a great man, apparently, in McCabe's estimation so long as he believed I would recognize him as the boss of the Democratic party in Albany county; but just so soon as I gave some recognition to Mr. Dugan—a decent man—and the Democratic State committeeman from Albany county, Mr. McCabe goes wild, and has his good but erratic friend write a libelous manifesto about me, replete with statements without the slightest foundation in fact. The letter and the manifesto show the difference, however, between now and

then. Poor McCabe. He is a cats-paw, and I feel sorry for him.

"Perhaps I should say that there is very little truth in the screed of McCabe. Much of the matter is too absurd for me to dignify with a denial, especially in view of the fact that another man wrote it.

"Who wrote it? Who gave the writer the information? That is what the people want to know. Let McCabe tell. He has recently been in conference with Mr. Murphy in Delmonico's. If he knows let him tell all he knows. They say McCabe is a squealer.

"They tell me this whole thing was deliberately planned and executed by crafty enemies of direct primaries, in New York City, for the purpose of breaking the force of my special message, on direct nominations, sent to the extraordinary session of the Legislature.

"However, I do not think it will deceive any friend of the cause of direct primaries, or disconcert any citizen in the State. It certainly will not distract me, or prevent me, from going right ahead with my efforts to write upon the statute books a direct nominations law that will carry out in good faith the promises of the Democratic party. These attacks on me are well understood. They will not hurt me in the end. But whether they do or not I shall go on regardless of political or personal consequences. (Applause.)

"There is an old saying, you know, that when a lawyer has a bad case he should abuse the other side. Mr. McCabe, it seems, is in this category. He is so weak as a political leader, in Albany, that just one honest direct primary election would relegate his boss-ship to the political scrap heap. (Applause.)

"Mr. McCabe knows this, and hence he is fighting against direct primaries to save his political skin. That is all there is to it. McCabe thinks by abusing me he can defeat direct nominations, but his efforts will be abortive, and his antics are about as transparent and as ludicrous

as the ostrich, which sticks its head in the sand and thinks its body cannot be seen. Mr. McCabe's political head is in the political sand—but we all see the rest of him—and the sight is not alluring. (Applause.)

"The adoption of State-wide direct primaries, and the abolition of State conventions, is in no sense an abandonment of the principle of representative government, but on the contrary it is a protest against the perversion of representative government.

"Under direct primaries the people will govern themselves, through officials, but through officials nominated as well as elected by themselves. That is why we want the voters to nominate. Representative government is only made actual when the power to nominate candidates is taken away from political bosses, and placed in the hands of the voters of the political party.

"Our desire to enact a direct primary law is a struggle for good government—a fight to restore the government to the people. The cause is their cause. In this battle for direct nominations I will lead where any man will follow, and I will follow where any man will lead." (Applause.)

## CHAPTER XL.

REMARKS OF GOVERNOR SULZER AT THE CONCLUSION OF THE LARGELY ATTENDED MEETING OF REPRESENTATIVE CITIZENS, IN THE EXECUTIVE CHAMBER, ALBANY, N. Y., JUNE 23, 1913, PREVIOUS TO THE HEARING IN THE ASSEMBLY CHAMBER, ON THE BILL FOR DIRECT PRIMARIES..

Governor Sulzer spoke as follows:

"My friends—and I say my friends advisedly—because I am finding out more and more every day who are my friends.

"When I became Governor I thought I didn't have an enemy. I know now that I have the most bitter enemies in the State. Nevertheless, I console myself with the reflection that every enemy that I have made, in the performance of my duty, since I became Governor, is an enemy to the State. (Applause.)

"It is gratifying to me to see so many representative citizens here this afternoon. I appreciate it more than words can tell.

"You are to be congratulated for leaving your vocations, your varied interests, your homes, and coming here to do all in your power for the cause of direct nominations. That is for the general welfare, and there never was a time in my recollection when the general welfare of the greatest commonwealth in the Union was more threatened than it is to-day. I know whereof I speak.

"All honor and all commendation to you good citizens. You are doing a great work for the common weal that perhaps some unthinking people do not now appreciate.

But as the years come and go the work you are doing will be more and more realized, and more and more appreciated by our fellow citizens.

"You are doing a great work. When the future historian comes to write the annals of our time he will give a large space to this work in the history of our State.

"But more than that, you are doing a work for good government; a work for honest government; a work for civic righteousness; a work for the general welfare; a work for the future greatness of our people and for the supremacy of New York. You are building for yourselves a monument more enduring than marble or brass. Do not forget that. Let it be your reward as it must now be your incentive.

"Notwithstanding I have always been an advocate of direct primaries, many of you know that I went into this fight reluctantly. Why? Because I knew the bitter fight it would be. Many who urged me all winter long to take up this cause for direct primaries—urged me here and at the house and on the streets—are not here to-day. They have run away. They are now maligning me. They are with the enemies of the cause. Many who thought I was insincere when I began, know now to the contrary. No friend of direct primaries doubts me to-day. I am in the fight to stay, and to the end, come what may. (Applause.)

"We must not let our enemies muddy the waters; we must not allow them to play the act of the cuttlefish; we must not permit them to throw dust in the eyes of the people. Let them come out in the open and meet us on the main issue—the question of direct nominations. That is the issue. Rest assured I shall not be diverted, or distracted, by the mud which these unmitigated scoundrels throw at me. I am a fighter. I know how to fight. (Long applause.)

"It is unnecessary for me to say I am more interested in the passage of this direct primary bill than I am in personal controversies that unscrupulous men now raise in order to distract attention while they slaughter our direct primary bill in the Legislature. Do not let them dodge the question. They cannot intimidate me. I am driving them into the open so that all can see. I am holding them responsible. They cannot escape the responsibility.

"Let Mr. Murphy abuse me. I care not. He beat the primary bill in the last session of the Legislature. I challenge him to deny it.

"During the campaign, since the adjournment of the regular session of the Legislature, I have said to Mr. Murphy, don't dodge; don't hide; come out in the open and tell the people whether you are going to beat the bill for direct nominations in the extraordinary session of the Legislature? That is the question. That is what we want to know. (Applause.)

"You know and I know that Mr. Murphy is the only man in the State who can beat this bill. What a spectacle! Do you realize it? One boss in the great State of New York defying the people; spurning their petitions; trampling on their rights; laughing in their faces; and like Tweed in his day, brazenly and audaciously saying: 'What are you going to do about it?' (Cheers.)

"What a pitiable spectacle! Isn't it enough to bring the blush of shame to the cheek of every decent citizen in our commonwealth. (Applause.)

"How humiliating it all is. Shall it go forth from one end of the country to the other that Mr. Murphy doth feed upon something, forsooth, that he has grown so great that he has more power, that he has more influence than all the other ten millions of people in the State of New York?

"What shall the answer be?

"No one knows better than I do how I have been threatened during this fight by the enemies of the cause. They are the enemies of the State. Behind it all there is a sad story which some day when I have less to do than at present I shall tell.

"Fear not, my friends, have courage, keep the faith. We're going to win. (Applause.)

"We are going to win because we are right; we are going to win because the people are with us; we are going to win because the history of the English-speaking peoples from the days of Runnymede down to the present time, demonstrates that the people have never lost a battle when they made up their minds to win a fight for progress and for the general welfare.

"Fear not, my friends, about these vile and baseless attacks the enemies of the cause are making on me because I am leading the fight. Have no fear about me. I can fight my own battles. Be assured I shall meet at the proper time, and in a conclusive way all these vicious, all these villainous attacks they are now making upon me, and with which I have been threatened by Murphy, ever since I began the fight.

"Our enemies demanded that I desist; that I be a proxy Governor; that I become a rubber stamp—a tool of conspirators to loot the State and to rob the taxpayers. I refused. They did not know me, but they know me now. (Applause.)

"Let us go forward with the fight. All will be well with me in the end. When the truth is known it will illustrate anew and accentuate again the stanza of one of America's famous poets:

"Truth crushed to earth will rise again,  
The eternal years of God are hers,  
While error wounded writhes in pain,  
And dies amid her worshippers.'"

(Long cheering and applause.)

## CHAPTER XLI.

### GOVERNOR SULZER'S LAST MESSAGE ON DIRECT PRIMARIES.

EXTRAORDINARY SESSION.  
STATE OF NEW YORK  
EXECUTIVE CHAMBER  
*ALBANY, June 16, 1913.*

#### To THE LEGISLATURE:

It must be apparent, to the average man, from a careful reading of the platforms, that the leading political parties, in our State, are irrevocably committed, by the most explicit promises, to the enactment of legislation for genuine direct nominations. As a matter of fact, it seems to me, all the members of the present Legislature are instructed by these pledges of their respective parties, and are, therefore, in duty bound by the highest political obligations, to vote for a State-wide direct primary measure.

In my message to the Legislature at the beginning of the year I said: "We are pledged to direct primaries, State-wide in their scope and character, and I urge the adoption of such amendments as will make complete the direct primary system of the State."

As nothing was done, of material moment, in connection with this recommendation, I again, in the early part of April, in a special message, urged the Legislature, in the interest of the general welfare, to hearken to the insistent demands of the people throughout the State for a direct State-wide primary law. Much to my disappointment, however, the Legislature ad-

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journed without, in this respect, meeting the just expectations of the voters.

So a sense of public obligation made it my duty, in the interest of the common weal, to reconvene the Legislature in extraordinary session, to the end that the recommendations I have made to the Legislature for direct primaries can be considered, without further delay, and a bill passed for direct nominations which will fulfill party pledges. In response to the overwhelming sentiment of the State, I am convinced, we should do this as a matter of duty to our constituents.

The record will show that for years I have been a consistent advocate of direct nominations. I am now, always have been, and always will be in favor of carrying out, in letter and in spirit, the platform pledges of a political party. The best way to strengthen a political party is to keep good faith with the voters.

Hence, in view of all the circumstances, in connection with the struggle in our State for a law to give the voters the right to nominate, it is my candid opinion that the Legislature in this extraordinary session, without unnecessary delay, should give heed to its promises, and immediately consider, and with due deliberation, aid me to write upon our statute books a practicable and a comprehensive State-wide direct primary law that will faithfully carry out our pledges to the people.

Direct nominations will go far to restore to the people the complete control of their State government; and afford the voters of the State the freest expression of their choice of candidates for public office.

The voters believe themselves just as competent to directly nominate all officials as the delegates they select. They want this right to nominate because they have so often found the delegate system was not a faithful agency of their wishes, and that it not infrequently failed to meet the demands and the expectations of the people.

All the arguments now used against the abolition of the convention, or the delegate system of nominations, have been used in opposition to the direct election of United States Senators, but these arguments have been in vain against the ever rising tide of popular sovereignty and progressive democracy.

Let us be true to ourselves. Let us not try to deceive the people. The plain fact is, that in our primary reform legislation we, in New York State, have left off our work just where the citizens expected us to begin.

By not making our primary law apply directly to the nomination of State officers we have continued the delegate system in the particular field in which it has proven the most unsatisfactory to the people.

That the voters of our State are determined to have no intermediary between themselves and their public servants has been shown by the adoption of the seventeenth amendment to the Federal Constitution, under which the people have taken from the Legislatures of the States the right to elect Senators in Congress.

There are only two kinds of primaries—direct and indirect. The latter kind constitutes the present reactionary delegate system; the former kind constitutes the progressive system which the people of our State now demand. I am for the direct system.

I want the people to nominate their officials because I want the people to rule their government. The people know that the power to nominate is the power to control. That is the reason the voters, regardless of party affiliations, favor direct nominations.

To have direct primaries and to have conventions of delegates is impossible. Direct primaries have been devised by the friends of good government to permit the voters in each political party to nominate their candidates for public office directly without the intermediary of delegates, and as, of course, you cannot have conventions without delegates, it follows, as the night the

day, that the convention system must go, and honest direct primaries must come. There is no middle ground. There can be no compromise. Those who want to compromise are against the enrolled voters of their party. You cannot compromise a principle.

The adoption of State-wide direct primaries, and the abolition of delegate conventions, is in no sense an abandonment of the principal of *representative government*, but on the contrary it is a protest against the *perversion of representative government*.

Under direct primaries the people will govern themselves, through officials the same as now, but through officials *directly nominated and elected by themselves*. Representative government is only made actual when the power to name candidates is taken away from the few, and placed in the hands of all the enrolled voters of each political party.

The changes which the friends of direct nominations advocate in our primary law are in harmony with the spirit of the times, and will go far, in the opinion of sagacious men, to perpetuate our free institutions.

These salutary changes in our primary system aim to restore to the voters of each political party the rights which have been usurped by the few, for the benefit of powers visible, which aim to control government, and to violate laws with impunity. To these invisible powers I am now, always have been, and always will be opposed.

No government can be free which does not allow all of its citizens to participate in the formation as well as the execution of its laws. Every other government is a mere form of despotism. The political history of the centuries clearly illustrates the truth that, under the forms of democratic government, popular control may be destroyed, and corrupt influences, through invisible political power, establish a veritable despotism.

If it is wise to trust the people with the power to nominate some public officials, I am sure it is just as wise to trust them with the power to nominate all public officials. I believe it is as wise to trust them to nominate a Governor, as to trust them to nominate a constable; and as wise to trust them to nominate a Supreme Court Judge, as to trust them to nominate a Justice of the Peace. The men who trust the average integrity, the men who believe in the average intelligence, of the voter, know not where, consistently, to draw the line as to the officials all should nominate, and the officials the few should nominate. As a believer in popular sovereignty I am opposed to establishing a political dead line regarding this fundamental right of the people to nominate all of their public servants.

Let me, therefore, renew my former recommendations, reiterate all that I have previously said, and again sincerely and earnestly urge the Legislature to pass a direct primary bill that shall provide:

1. That all party candidates for public office shall be nominated directly by the enrolled party voters at an official primary—the official primary to be conducted by the State, and surrounded with all the safeguards of an official election—any violation of the official primary law to be a felony.

2. A State committee of 150 members, one from each Assembly district, and a county committee for each county, shall be elected directly by the enrolled party voters at the official primary.

3 All party candidates for public office to be voted for in the official primary must be designated by petition only, the same as independent candidates.

4. Every designating petition should contain the appointment of a committee for filing vacancies on the primary ballot.

5. Candidates to be arranged on the ballot under the title of the office. All emblems on the official primary ballot must be abolished. Names of candidates to be numbered. The voter to indicate his choice by making a cross mark before the name of his candidate.

6. The number of enrolled party voters required to sign a designating petition should be fixed at a percentage of the party vote for Governor at the last preceding election, except that for State offices the number should not exceed 5,000 enrolled party voters.

7. The official primary district shall be identical with the election district, and the primaries of all parties should be held at the same polling place, conducted by the regular election officers, just the same as an official election.

8. Each party to have a Party Council to frame a platform; such Council to consist of the party candidates for office to be voted for by the State at large; party Congressmen and party United States Senators; candidates for the Senate and Assembly; members of the State committee; and the chairman of each county committee.

9. The time for filing independent nominations subsequent to the filing of party nominations should be increased from five days, as now provided, to fourteen or more days. The number of signers of an independent certificate of nomination should conform to the number of signers of a party designation.

10. Election of United States Senators by the people should be provided for in accordance with the recent constitutional amendment. Nominations for United States Senator to be made at the official primary in the same manner as for the office of Governor.

11. The use of party funds at primary elections to be absolutely prohibited, and made a felony.

12. The penal law should be amended limiting to a

reasonable sum the amount of money that may be expended by a candidate, or anyone on his account, for the purpose of seeking a nomination to public office, any violation of the same to be a felony, and make the nomination, if secured, a nullity.

13. Delegates and alternates from the State at large, and from congressional districts, to the National Convention should be chosen by the direct vote of enrolled party voters at the official primary.

Such a law, in my judgment, will substantially redeem our party pledges, and meet the just demands of the enrolled party voters of the State. Any proposition less than this begs the whole question and violates the pledged faith of the several political parties to the voters in the State.

In this connection, I deem it my duty, to say to the Legislature, that I have no pride of opinion regarding details and non-essentials in the construction and the enactment of this legislation. The assertion that I have said that my bill must pass without the crossing of a "t", or the dotting of an "i" is absurd, and without the slightest foundation in fact. I have had too much experience as a legislator to utter such narrow-minded sentiments. As a matter of fact, the truth is, I have no vanity of authorship, and want none. My struggle is for the essential principle of State-wide direct nominations. On that fundamental principle the friends of State-wide direct primaries declare that there can be no honorable compromise.

No one can be deceived as to my contention and as to my attitude. All I am seeking to accomplish is to write on our statute books, an honest, and a simple, and a practicable direct nominations law—State-wide in its scope and application—in order to carry out in good faith party promises. That is all. Can I be more fair and more reasonable?

WM. SULZER.

## CHAPTER XLII.

## GOVERNOR SULZER'S SPEECH IN THE EXECUTIVE CHAMBER, JULY 22, 1913, TO A LARGE ASSEMBLY OF DEMOCRATS.

Mr. Sulzer said:

"This conference was called by the friends of direct primaries to counsel as to the best way to nominate and elect members of Assembly who will stand by the people and vote for genuine direct primaries in the next Legislature.

"I have always been of the opinion that a member of the legislature, State or National, should be true to the principles of his party; should be anxious at all times to carry out the promises of his party, and should always be responsive to the will of the people.

"However, in our Legislature at present that idea seems to be reversed. Its members apparently are more anxious to carry out the will of the bosses than the will of the voters.

"Conscious of the rectitude of our intentions, and with the knowledge of public sentiment, we feel that it is the duty now of the men charged with the responsibility, who have within their grasp the machinery of the party, to see to it that the men who have been false are held accountable; to see to it that men who will be responsive to the will of the voters are nominated for member of Assembly in each Assembly district of the State. In that way we will make progress. In that way we will get a very different kind of Assembly next year. In that way only can we succeed. (Applause.)

"No one has a higher opinion of the Legislature of our State than the man who is now addressing you. I use

the expression generally. I served in the popular branch of the Legislature for five years, nearly a quarter of a century ago, and through my own efforts and by my own exertions, I rose, as a young man, step by step, until I became its speaker—one of the youngest speakers in the history of the State. (Applause.)

"I know something about the legislative history of our State. I could name many great men who have served with honor and distinction in the popular branch of our Legislature. It is a great forum. It is the agency of the people of the State to express their will.

"The office of Assemblyman is most important, and is great enough for the ambition of any man. In the years gone by we had many great men in the Assembly of our State.

"To-day I regret to say that cannot be said concerning the present Assembly. I want to be charitable. You know, and I know, and the people know, that the present Legislature is controlled by influences adverse to the best interests of the people of the State. It is a matter that now challenges the sober judgment of the people. It is a matter that is now an affront to the intelligence of the citizens, and it is humiliating, not only to me, in my efforts to do right; in my desire to keep the faith; and in my determination to do my duty; but to the due administration of public affairs. (Applause.)

"Another election is approaching—a very important election to the taxpayers of New York. We meet here in council to take some action in order that the next Assembly shall be different from the present Assembly. In order to make that a living fact it is necessary for you to see to it that the right kind of men are designated in each Assembly district for members of Assembly. (Applause.)

"What do I mean by that? Simply this: In the present crisis in the State of New York, where one man challenges the whole people, and because he cannot have

his way, he says to the people that they shall not have their way. So we say now, that in each of these Assembly districts, in the first instance, we shall appeal to that public spirit, and to that patriotism, which has never failed to respond, when it was necessary to respond, we ask you to aid us so that the ablest and the best men can be designated for members of Assembly, regardless of party affiliations, and elected to carry out the will of the people, and to see to it that the administration of State affairs is not longer paralyzed.

"As I have said, many great men have been Assembly-men in New York. We want men in the Assembly next year; men who dare to do right; men who are free and independent; men who believe in truth and dare to maintain it; men who will see to it that the right shall prevail—regardless of political or personal consequences. (Applause.) .

"In each Assembly district there are worthy men, eloquent men, brave men, honest men, who will respond to the call; who will allow their names to be used in this struggle for good government, and who will consent to be candidates for Assembly. They will be elected. They will come here the first of the year, take the oath of office, and be true to it—true to the general welfare, true to the commonwealth of New York—true to the party promises, and true to all that is good and honest and decent in public affairs.

"As the Governor, through you, representing what you do, and having it in your power to accomplish results, I now appeal to the intelligent, to the patriotic, and to the public spirited citizens of New York to come forward in this campaign and aid us to elect an Assembly that will be beyond the influence of any man, and responsive only to the will of the people.

"My friends, I am carrying a heavy burden. You know something about it, but you do not know all about it. I am doing so simply because I made up my mind

when I took the oath of office that I would be the Governor in fact as well as in name. Because I made up my mind that no influence should control me while I was the Governor, but the dictates of my own conscience, and my determination to do my duty, day in and day out, come what may. For these reasons, I have been traduced, vilified, and threatened as no other man has ever been, who occupied this office, in all the history of the State. (Cheers and applause.)

"However, I have no fear of the ultimate result. I know by experience, by the truths of history, by that intuition which is unerring, that justice will prevail, and that right makes might.

"If the honest folk, and the patriotic people of New York will stand together in this campaign we will win on election day a victory that will clarify the political atmosphere, and go far for years to come to give the State of New York what the State of New York needs—an honest government, and an efficient government, and an economical government—a government in the interests not of the few but for the benefit of all.

"I could say much that I will at present refrain from saying. Let us trust that in the wisdom of your counsel much good will come. You can count on me in the future as in the past to go forward in the work of reform. I shall count on you to aid me. Let us all work together for the good of the State, and certainly that should be the highest ambition of every good citizen. (Long applause and three cheers for our Governor.)

## CHAPTER XLIII.

## MR. SULZER'S GREAT FIGHT AGAINST THE GRAFTERS.

Few men in the public life of the State had the training and the experience, or were ever better mentally and physically equipped, to be Governor of the State of New York than William Sulzer. He had served five years in the Legislature a quarter of a century ago, and eighteen years continuously in Congress. He was familiar with politics, was one of the best known legislators in the country, and for twenty years had been schooled in the greatest schools for the onerous duties devolving upon him on the first day of January, 1913. He was able and honest. He was courteous and sincere. He had but one fault—he would not be bossed.

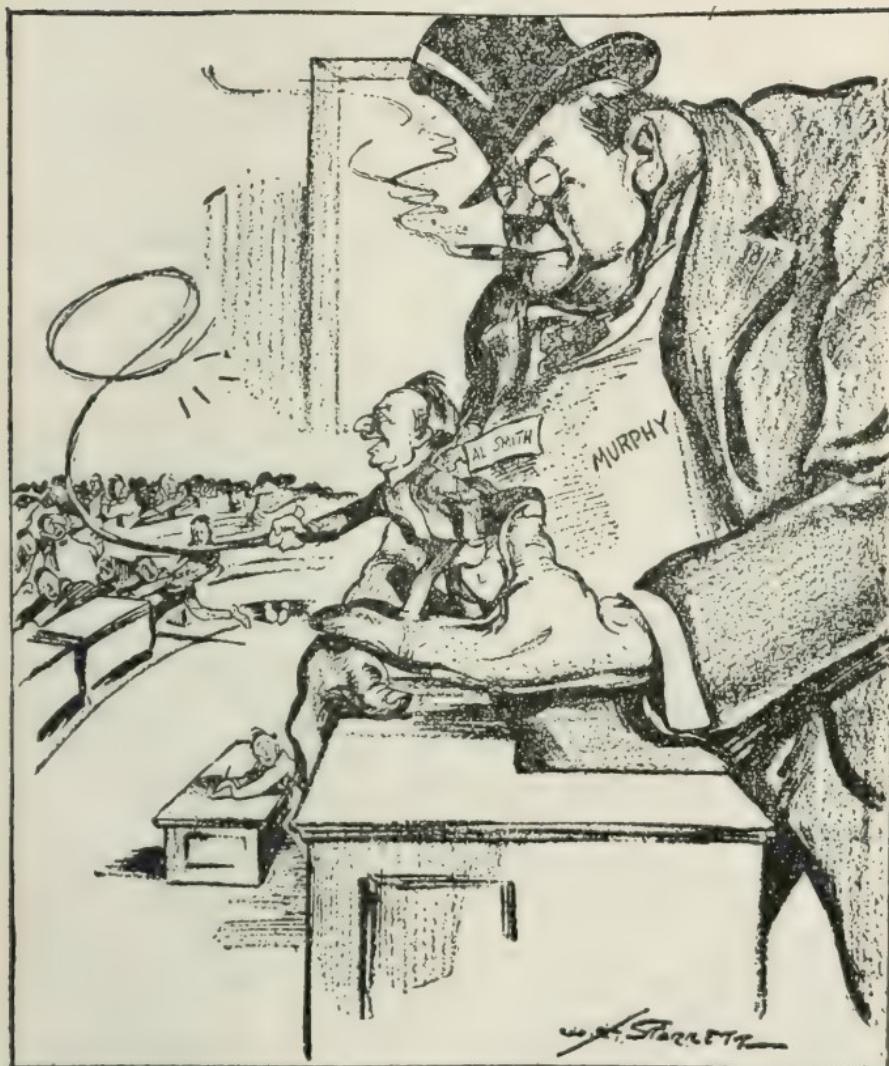
Things were not bad at Albany, so far as graft in the State Departments was concerned, when Mr. Sulzer was in the Legislature during the administrations of Governors David B. Hill and Roswell P. Flower. Things were not bad, so far as graft was concerned, in the great departments of the Federal Government during the eighteen years that Mr. Sulzer was a member of Congress. Sulzer knew as a general thing that matters were honest in Washington. He believed they were honest in Albany —like they used to be when he was there twenty years ago.

It has only been in recent years, however, that graft began to honeycomb the various departments of the State Government of New York. Of course, it goes without saying that Mr. Sulzer had heard more or less about graft at Albany before he went there to become

Governor. He has told some of his friends that he did not believe these stories, or that he thought they were exaggerated. However, he had determined before he took his oath of office as the Governor that he would clean house and find out what was wrong, and if there was anything wrong that he would put a stop to it. No one can read his inaugural address, and his first message to the Legislature, without coming to this irresistible conclusion.

One of the first things the Governor did was to appoint the Committee of Inquiry, and his reason for doing that was to find out, as quickly as possible, if there was anything wrong in the various Departments; to stop graft; to eliminate waste; to retrench, and to practise every economy. The Committee of Inquiry in the sixty days it was in session did some good work; but it only scratched the surface here and there; but that was enough to reveal to Mr. Sulzer, and convince him that a more thorough investigation was absolutely necessary to get the grafters and to protect the taxpayers. He had not been in office long before he realized more than ever that "*the task of administrative reform was his,*" and that it was up to him to drive out the parasitical grafters who had intrenched themselves in almost every department, and were slowly but surely bringing the Empire State to a condition bordering on bankruptcy.

When the Committee of Inquiry ceased its labors, Mr. Sulzer appointed George W. Blake a special investigator under the Moreland Act to investigate the charges of corruption and mal-administration in the Prison Department of the State of New York. Mr. Blake's reports to the Governor were a revelation that not only shocked him, but staggered the people of the State. We have only space in this volume to print but one of Mr. Blake's reports.

**"IMPEACHING SULZER"**

From the Albany Knickerbocker Press

WHAT A SPECTACLE!

## CHAPTER XLIV.

## REPORT ON THE GREAT MEADOW PRISON.

By GEORGE W. BLAKE,  
*A Special Commissioner Appointed to Investigate Prisons  
and Reformatories of this State.*

ALBANY N. Y., April 9, 1913.

Hon. WILLIAM SULZER, Governor, State of New York,  
*Executive Chamber, Albany, N. Y.*

SIR.—I submit herewith my report on the work being done at Comstock, N. Y., in the construction of the Great Meadow prison.

A conservative estimate fixes the loss to the State by construction of the buildings, through carelessness or graft, at \$500,000. A peculiar feature of this situation is that no attempt has been made to conceal the wrong. It is so brazen and conspicuous that even the most unobserving visitor to the prison building must observe it. For more than two years this prison building job has been used to rob the State.

Before going further into the details I want to call your attention to a situation that seems to exist in the Department of Prisons. It has been frequently said that there is a "prison ring," forged for the purpose of stealing the people's money. I believe this statement to be true because the dishonesty of this particular job has so many ramifications. The bills for inferior work and for work not done at all passed through the hands of the State Architect, his representatives at the prison, the Comptroller, and the Superintendent of Prisons.

All of these persons must have known that the bills were dishonest and should not have been paid. Yet they passed smoothly along and the money found its way

into the pockets of the contractors. A careful investigation might show how much of it remained there.

This was only part of the ring. The other parts were the sub-contractors, who provided what labor and material they pleased without interference. It must be plain to any thinking person that a long series of bills, practically all of them dishonest, could not have passed through so many hands without detection.

This project was conceived in graft. The State paid \$92,000 for property worth not more than \$30,000. The excuse for this initial crime was the alleged need of a hospital building in the health-giving air of the Adirondack region. This was a mere subterfuge. The fact was that the owner of this property induced his political friends to help him unload it upon the State at more than three times its value. Then the Lunacy Commission decided it did not want this property, thereby threatening to deprive the projectors of the scheme of large graft in the erection of buildings, and it was decided to erect a prison there. The prison officials complacently agreeing, the people were cozened into believing that this outlay of money would be sufficiently productive to greatly reduce the cost of the maintenance of all the prisons of the State and would have a salutary effect upon the physique and morals of prisoners serving first terms and upon those nearing the time of their discharge.

The first appropriation was made in 1909 and was for \$350,000. The bill providing for this appropriation made it appear that this sum would be sufficient to complete the work, but up to the present time more than \$1,800,000 has been appropriated and more money is still demanded. There is at present a demand to get \$250,000 more, despite the fact that \$750,000 is still available of the previous appropriations. From the conception of the scheme until the present time there does

not seem to have been any attempt made to give the people an honest return for this outlay.

One wing and a dormitory have been completed. The site chosen for these buildings is in a hollow in the land, much of which is quicksand. The great prison building has settled so that cracks appear in the walls, all of the piping is out of alignment and it is only with great difficulty that some of the prison machinery can be operated. The dormitory, where the guards sleep and where the administrative work is conducted, is fortified with heavy iron bars, at the windows and heavy doors, but the interior walls are fragile and combustible. It is possible to kick holes in them and a fire once started would find the building an easy prey. The floors are of wood instead of concrete. If a fire should start in the night when the guards were sleeping there would be no chance of escape. This alone makes the work a crime that the State should immediately investigate to the end that the criminals guilty of it should be punished.

The site of these two buildings is five feet below the surrounding lands. It is in a hollow pit of clay, in which is received the drainage of the hillsides, which forced the State to spend many thousands of dollars in drainage. Piles driven into the soil sink out of sight and it seems impossible to find proper foundations for the heavy structures. The contract provides that the ground on which the foundation rests shall be solid.

As a matter of fact one end of the dormitory building began settling to an alarming extent and the State had to spend \$37,000 to level the building. The foundation here is quicksand, so it is certain that this expenditure will have to be frequently and indefinitely repeated.

It is difficult to find any explanation for the selection of this site, when it is surrounded by a circle of upland where solid foundations could have been found. Knowledge of the dishonesty of the men who permitted this work to continue makes it appear likely that their ob-

ject was to place the buildings in a location where they could not possibly last in order to graft from the money that would be constantly needed in repairs and then finally to enrich themselves anew by doing the work over.

If the construction of the new wing was stopped now, and there is absolutely no need for it, the present wing and dormitory would cost the people of the State at least \$50,000 a year to keep in repair. The State would save money if the present buildings were discarded and the work began all over again under the control of honest and competent officials. This may seem like a drastic suggestion, but the cost of keeping the present prison buildings in repair would pay the interest on a much larger amount than it would take to duplicate them on another site.

In order to discover just how this work has been done, and what the total theft has amounted to, it would be necessary to prove up each item of the work in detail. I believe this should be done, and in the meantime all work on the new wing should be abandoned; that safe and decent quarters should be provided for the guards and that a rigid investigation should be made into the circumstances surrounding the granting of the contracts and the supervision of the work.

There has been no apparent sign of any intelligent action in connection with the work at the prison. Forty thousand dollars was spent to have water piped into the prison. Then it was found that the water was unfit to use, and was likely to breed disease. Water was unexpectedly struck during the excavation work right in the rear of the prison and this problem was solved.

The poor installation of plumbing, pipe fitting, brick work and general construction show inferior material and workmanship, and under the standard set by the specifications should not have been passed or paid for. It does not require the services of an expert to see this. Any prison official could have discovered it by the most

casual reading of the specifications and by the merest glance at the work. And yet I procured the services of two experts, one of whom is an expert builder, who, under the impression that less than \$750,000 had been spent in the construction of the building declared that there had been an overcharge of \$75,000. As a matter of fact more than \$1,000,000 has been spent, which would increase the overcharge to about \$325,000.

The dishonest work has been as conspicuous in small matters as in large. According to specifications there should have been a trial run of fourteen days for the steam plant, but seven days after the engines were put in operation the State was compelled to pay money to repair them.

One item was \$20 to rebabbit a shoe—300 per cent. more than market price. A new nut was bought for the engine at 250 per cent. more than the market price.

These engines have been running about two years. The repairs on them so far have cost \$500. A striking proof that graft rules this work is given in the fact that a representative of the State Architect's office on the ground objected to some work which the contractor wanted passed as being up to specifications. The controversy reached the State Architect, who inspected the work himself and passed it.

The first specification provided that the successful contractor should furnish his own tools and plant for doing the work. After the contract was let the successful contractor was allowed by a change in the specifications to charge \$75 a day for the use of his tools. Assuming the contractor obtaining the contract knew this condition he would of course, be in a position to underbid his competitors. If, by any chance, one of his competitors had received the contract it is not likely he would have received this concession. This peculiar method of doing work seems to be the rule up to the present time.

The work now going on was let in two sections, and

the contractor appears to be the absolute boss of the situation. One contract should have been completed two months ago. It is still uncompleted. The other contract calls for completion November first of this year; it has just been started. The penalty fixed for delay is only ten dollars a day. Therefore, it appears that no difficulty would be had in cancelling this contract if the State finally concludes this ought to be done.

The first draft of prisoners arrived at this prison on February 8, 1911. There are only a few more than 400 prisoners located in the cell house now; while there are cells for more than 600. This is another specimen of the methods used in managing the prisons of the State.

I have mentioned only a few of the defects in the work. I believe that many more can be found of at least as grave a character in a searching investigation by experts in the various lines.

Further investigation of the accounts may show that at least on one of the contracts a great deal of money was paid in excess of the original bid.

Respectfully submitted,

GEO. W. BLAKE.

Mr. Blake's reports on Auburn and Sing Sing shocked the State. We have not the space to print them in this book. They should be read.

The Governor removed Supt. Scott in defiance of the Bosses, and instituted Grand Jury proceedings about the corruption in Great Meadow and Sing Sing Prisons. As to result, a score of indictments have been found, and the rascals are being brought to justice.

These investigations, and the bringing to trial of these offenders, made many enemies for the Governor in and out of the Legislature.



*From The New York World.*

### THE PIED PIPER.

## CHAPTER XLV.

SULZER, HENNESSY, AND THE ROAD  
GRAFTERS.

Probably no man played a more important part in the administration of Governor Sulzer, than John A. Hennessy. And perhaps no man knows more than he of the many obstacles Mr. Sulzer had to contend with in his determination to give the people an honest, a business-like, and an economical administration of public affairs.

Mr. Sulzer's dogged determination to stop graft, and to punish the grafters, no matter what their political affiliation or social standing, was the final straw that brought about the Governor's removal.

A grafter, in the eyes of Mr. Sulzer, was a grafter be he politically clothed in the robes of Democracy, or in the raiment of Republicanism. Mr. Sulzer told Mr. Hennessy to get the grafters. Mr. Hennessy replied that he would—but it might ruin Mr. Sulzer. The latter answered to go ahead—that no band of crooks could ruin him. So Mr. Hennessy and Mr. Sulzer began their persistent fight to find the trail of the grafters—get them—and bring them to justice. The grafters threatened the Governor. He stood firm. His superb moral courage, in the struggle, challenged the admiration of every decent citizen in the State.

One day Mr. Hennessy went to the Executive Chamber and said:

"Governor, no doubt you hear talk to the effect that my investigations are ruining your administration. If I go on I'll get some of your political friends. I think too much of you to stand in your light. What shall I

do? If you say the word, I will forthwith cease my activities, and let matters quietly drop."

"John," replied the Governor, placing one hand on his shoulder, and looking Hennessy squarely in the eye, "the grafters are trying to get me; I want you to get them. Never mind about me. I don't care. In the interests of the taxpayers we must clean up the State and drive out the grafters—friend or foe. It must never be said that we quit fighting the grafters. I took an oath, John, when I became Governor, to do my duty as God gave me the light to see the right—and I shall do it, though it cost me my office." They shook hands and Mr. Hennessy knew the Governor meant it and continued his investigations.

Those who know Sulzer, know that if it had not been Blake and Hennessy who were conducting these investigations, under Mr. Sulzer's directions, it would have been somebody else. In showing up the graft in the State prisons, in the State Architect's office, in the State canals, in the State highways, and in other departments, Governor Sulzer was prompted to do so by naught save his sense of public duty, and a sincere desire to protect the pockets of the taxpayers. The story of the road grafters reads like a romance—amounts to millions of dollars—and would fill a volume by itself. As a specimen of what Governor Sulzer uncovered and accomplished, the following report of Mr. Hennessy will to a small extent testify.

#### HENNESSY'S REPORT ON ROAD GRAFT.

*The work was about 70 per cent. fraudulent and the State got 30 cents on the dollar.*

*It is for the people of the State now to say whether the Highway frauds shall be laid bare up to the point of getting all the criminals.*

*I believe it is now possible to get at the top, and at the*

*top are several high State officials whose enmity to Governor Sulzer began when he appointed me to run down the graft.*

*As these cases develop the electors of New York State will learn that the political organization, so-called Democratic, captained by Charles F. Murphy in New York City, by William F. Fitzpatrick in Buffalo and by William H. Kelley in Syracuse, is organized to loot the treasury and regards every honest man as its enemy.*

NO ONE BETTER THAN I KNOWS THAT HAD THE GOVERNOR AGREED NOT TO EXECUTE HIS OATH OF OFFICE HE WOULD BE TO-DAY UNCHALLENGED IN HIS PLACE AS THE EXECUTIVE, NO MATTER WHAT OTHER BITTERNESS MIGHT BE DISPLAYED AGAINST HIS INDEPENDENCE OF BOSS CONTROL. HIS INFLEXIBLE DETERMINATION TO GO AFTER ALL THE LOOTERS AND HIS PURPOSE TO BEGIN WITH THE INDICTMENT OF BART DUNN, A MEMBER OF THE STATE COMMITTEE FROM TAMMANY HALL, ENDED ALL RELATIONS. THEN THE SAVAGERY OF RECENT EVENTS TOOK SHAPE IN A CONFERENCE HELD BY CHARLES F. MURPHY. "IT'S HIS LIFE, OR OURS," WAS THE WAY ONE MURPHY LEADER PUT IT.—*From Hennessy's report on the Highway Frauds.*

Commissioner Hennessy in his report says:

"The indictment of Bart Dunn, Tammany Hall members of the Democratic State Committee, and of William H. Whyard, the real Democratic Boss of Rockland County, marks the beginning in the courts of the work which Governor Sulzer set out to do four months ago.

"The other men indicted were tools of bigger men in the Democratic administration under Governor Dix. All the men big and little in the State can be brought to trial, and all the Highway frauds big and little uncovered.

"The cases in Rockland County differ in no material respect from those in other counties. The work was

about 70 per cent. fraudulent and the State got 30 cents on the dollar.

"The Rockland County cases were presented to the District Attorney there seven weeks ago, but one legal knot after another came in the way to delay a grand jury investigation. Similar difficulties in legal procedure and the necessity for a certain line of proof have delayed the presentation of cases in other counties. Several of these cases are now ready for grand juries.

As these cases develop the electors of New York State will learn that the political organization, so-called Democratic, captained by Charles F. Murphy in New York City, by William H. Fitzpatrick in Buffalo and by William H. Kelley in Syracuse, is organized to loot the treasury and regards every honest man as its enemy.

"It is for the people of the State now to say whether the Highway frauds shall be laid bare up to the point of getting all the criminals. It is a big job for big men and it needs money.

"Three months ago when Mr. Murphy's legislature found the Governor was in earnest in his promise to uproot all frauds, Mr. Sulzer's contingent account for investigation was cut off and he was left without a penny. I was asked by him to investigate highway contracts in a State nine times the size of Massachusetts and to do it without a force of trained investigators and road engineers. A private appeal to a dozen men brought small results in money. It seemed impossible to interest them in a situation that involved millions of the public funds. The work as it slowly progressed pointed unerringly to a sinister story of graft in almost every State department. My commission under the Moreland act was broadened by the Governor, so that I might take up all the strings as we found them.

"There is enough of proof to-day outside the Highway Department to make it vital that the good citizenship of the State shall free the government from existing conditions, uncover all the grafters and lay bare the State Comptroller's office.

"I have had three road engineers, and, until I could no longer pay him, an accountant in the work of disclosing the highway frauds. I have been assisted by special investigators from time to time, whenever I could afford to pay for this form of work. The small staff under my direction has had to confine itself to one county at a time, and embarrassed by lack of information owing to the theft of necessary records from the Highway Department.

"I have complete cases now in seven counties, splendid testimony to the unselfish work of these road engineers who in the beginning paid their own maintenance and other expenses, as I had no funds. Had the Legislature not cut from the Supply bill the Governor's item of \$30,000 for investigations, I could have enlarged my force so as to cover all the counties and obtained evidence sufficient to lay bare the entire conspiracy to rob the State of its highways for the enrichment of politicians and contractors.

"Even with what we already have accomplished I believe it is now possible to get at the top, and at the top are several high State officials whose enmity to Governor Sulzer began when he appointed me to run down graft.

"At the top, too, are men whose members of Assembly voted to sustain the Governor on direct primaries, but who joined the impeachment crew when it became evident four weeks ago that nothing but lack of money could stop complete graft exposures in this State.

"A concise story of the Rockland County frauds will do to illustrate the conditions in the remainder of the

State. The conditions are not better but may be worse in other counties. Bart Dunn, Tammany Hall chieftain on the East Side, got a "contract" to lay a concrete road four inches deep and less than three miles long on top of a fine old macadam road in Rockland County. The concrete was to be screened washed gravel, approved sand and cement. The road was to cost \$31,000. Instead of buying gravel for use in making the concrete, Dunn took the old stone belonging to the State out of the macadam road, mixed it with poor sand and an insufficient amount of cement, and called it a concrete road.

"This did not satisfy his appetite for graft. For a distance of nearly a mile he did not lay any concrete. He simply mixed some sand with the old stone, placed it in the road and then covered it with a cement grout about one-quarter of an inch thick. Even this robbery of the State was not sufficient. The concrete road was to be four inches thick. The depth of the loose stone and concrete found averaged two inches in depth for more than two-thirds of the road. Of course this road went to pieces before it was finished, but notwithstanding the protests of property owners, the Department of Highways, through its various officials, accepted the road, and paid the contractors in full.

"Perhaps more interesting, as a bit of deviltry in road building, is the contract for resurfacing another Rockland County road for which William H. Whyard, local Democratic boss, and others have been indicted. This road was to have a new top three inches deep on a surface a little more than four miles long. It was one of these "contracts" handed out over night. Sometimes over the telephone. Notwithstanding the State supplied the asphaltic oil for the bituminous top, the cost was to be \$26,000. After the "contract" was signed, it was decided to make the surface four inches

deep and an additional \$10,000 was allowed in a "supplementary agreement."

"Investigations direct by me, after I had twice visited the highway, disclosed that the top surface of the road instead of being built four inches deep averaged less than two inches in more than one-half of the road. For four-fifths of a mile the contractor did not put in a new surface at all, but covered the old macadam road with a light asphaltic oil. He thus robbed the State of all new stone he charged for and was paid also for the placing and rolling of this stone as well as for the manipulation of asphalt never used in the penetration and binding of the "phantom" stone.

"Even with this fraud there was not enough of clear profit to go around for everybody. The contract called for a road 16 feet wide. In some places the road is only 11 feet wide and generally  $13\frac{1}{2}$  feet wide, which means a steal of at least 30,000 running feet in a road four miles long, each foot 4 inches deep. This missing stone was charged and the contractor paid for penetrating it with asphalt oil.

"The remarkable condition here is that the defendant, Whyard, otherwise the *Aetna Contracting Company*, built a road half as deep as the specifications demanded, a much narrower road, and was paid \$10,000 in excess of the original contract price.

Let it be understood that these are not the only crooked roads in Rockland. Each road takes a week of expert investigation and analysis; then another week of careful preparation for the district attorney. With my little staff of three men it was necessary to pull up stakes at Rockland if the conspiracy which has made a sham of our Highway system was to be uncovered.

**"In more than 40 roads examined in 22 counties, we have found only three that pass muster, and only one**

that is clean all the way. There are men now congratulating themselves that they are immune from discovery and prosecution. They assume this because we have not been in their counties. We have, however, analyzed their contracts, the time in which the work was done, and the reports as to material, etc. Fraud stands out as clearly as a mountain peak from a valley. All we need is the men and the time to get the legal evidence.

"Facts cannot be destroyed in a road less than a year old, and many of these roads are not nine months old. As we want no indictments where we cannot be equally sure of convictions, we have not busied ourselves with openly fraudulent roads finished in the first year of the Dix administration. No petit jury probably would convict on the conflicting testimony which would be produced. The frauds of 1911, 1910 and 1909 in road building will have to go unpunished unless some genius as a lawyer proves able to piece certain circumstances together and strong enough to overcome the volume of defensive testimony.

"When this road investigation began, Democratic leaders warned Governor Sulzer that he would not be able to get back to the Highways of Governor Hughes' time, and that the net result would be an attack on the previous Democratic administration, which, they said, was no worse than under Republican auspices.

"I rather think they were correct in their general statement. Roads built in 1910 were resurfaced last year at great cost. This, of course, proved the 1910 roads, so repaired, to be badly constructed. The repairs wiped out all the original evidence that would be good in law. More startling, however, is the fact that the repairs of most of these roads last year was a mere sham.

"I cannot specify them now as to location, as some

are already singled out for Grand Juries, and others will be reached, if we get the financial assistance necessary in a big job of this kind. I predict, the "good roads" of this State built in the last four years will need within twenty-four months at least \$6,000,000 for repairs. The best roads in the State, bar a few, are those built prior to 1908. Some of them are almost as good as new to-day. The men who built them were crowded out of business by the contractors' ring. These contractors stood in with crooked division engineers, and honest road builders couldn't make enough to feed their horses and maintain their plants. The story of this, however, is for another day.

"As to present conditions, let me say that a new road accepted on February 26th of this year is now advertised for repairs; that another road finished this year is also on the list for repairs despite a cost of \$15,000 a mile; that roads finished in December of last year are already full of ruts; that roads not yet completed but let under the Dix administration are a joke upon State Government; that the road inspectors and engineers are almost as a whole incompetent or dishonest, or merely automatons for political bosses.

"The men put upon the roads by the Democratic State administration last year were more than two-thirds in number O-K'd by Thomas F. Smith for Tammany, by John F. McCooey, by Fitzpatrick of Buffalo, and by Kelley of Syracuse. Some of them were barbers, some of them were liquor dealers. Some of them had no known vocation. The remainder were appointed by members of the State Committee in their respective districts. They were ward heelers pure and simple. These men named to watch contractors were largely nominated in the first place by the contractors interested. Some of these fellows rarely saw the roads, but cheerfully signed estimates every month

upon which bills were paid. They certified to the arrival of material that never was delivered.

"I am making only a surface review of the conditions. In the main office in Albany things are worse than on the road. Contracts, as I shall prove, were approved before the work was done. So-called bidding was the broadest sort of farce. The man who gave up readily and freely was the best thought of. Such a man could put gravel and sand upon a road instead of the imported stone his contract called for. Such a man could put decayed stone in a roadbed instead of material from a quarry. Such a man could take stone fences, bury them in the road, charge for rock excavation and then for sub-base. Such a man could steal oil from one road and have it delivered on another job. The game of give and take was reduced to a well handled if crude proposition.

The First Deputy Commissioner of Highways told the contractors when to pay their campaign contributions, how they should execute their bonds with C. F. Murphy, Jr.'s Bonding Company, how they could get along best in the new road combination brought to its highest criminal efficiency in the last year of the Dix administration.

All the things I say, and much I cannot reveal, can be made clear to all the people if public opinion will force the fight on graft. The fight will be one of magnitude, and one which will be won only by resolute men amply equipped against resourceful enemies. The fight properly begun cannot be lost, and is bound to purify our political life for a period of years.

It is a much bigger struggle than the fight against Tweed and Samuel J. Tilden's fight against the canal ring. In the entrenchments of the thieves will be found men who have been elevated to high and supposedly virtuous office, and men who have to-day the confidence of their fellow citizens.

"The trail of graft will run from the Comptroller's office into the banks and out again. The misuse of the excise department will leave, when exposed, a trail of shame, and blacken some of the men now loudly crying for the life of the Governor.

"When the story of the canal system is told, the highway thefts won't look so big. When the State Election Department is fully investigated the people will stand aghast in contemplation of the men selected to give them pure elections. In my commission from Governor Sulzer I have gone into the departments named just enough to cut the surface. I had a few personally selected volunteers and one or two investigators to assist me from time to time. I have lacked the money to sink the probe, but as I began the work the "system" soon took notice. But the grafters never go to sleep at the switch.

"I am simply a small agent, of Governor Sulzer, in the fight against graft, yet Tammany senators whisper in confidence to other men that I am or have been an embezzler, and am or have been a taker of graft. The head of one department tells in confidence how he will make Stilwell appear not half the crook I am. These political grafters and character assassins pay their attention to me a simple agent of Governor Sulzer—an agent bent upon revealing what can be discovered without adequate organization. Is it any wonder, therefore, that they so fiercely attack their own Governor, who, at their demand, four times declined to revoke my commission, and who declined to stop investigations which would lead to State-wide exposure?

"Governor Sulzer needs no defense from these Tammany charges, but I would be untrue to myself were I to pass without comment the most vital point in these graft investigations. I offered to efface myself several times when men who call themselves leaders in the Democratic party warned the Governor that his inves-

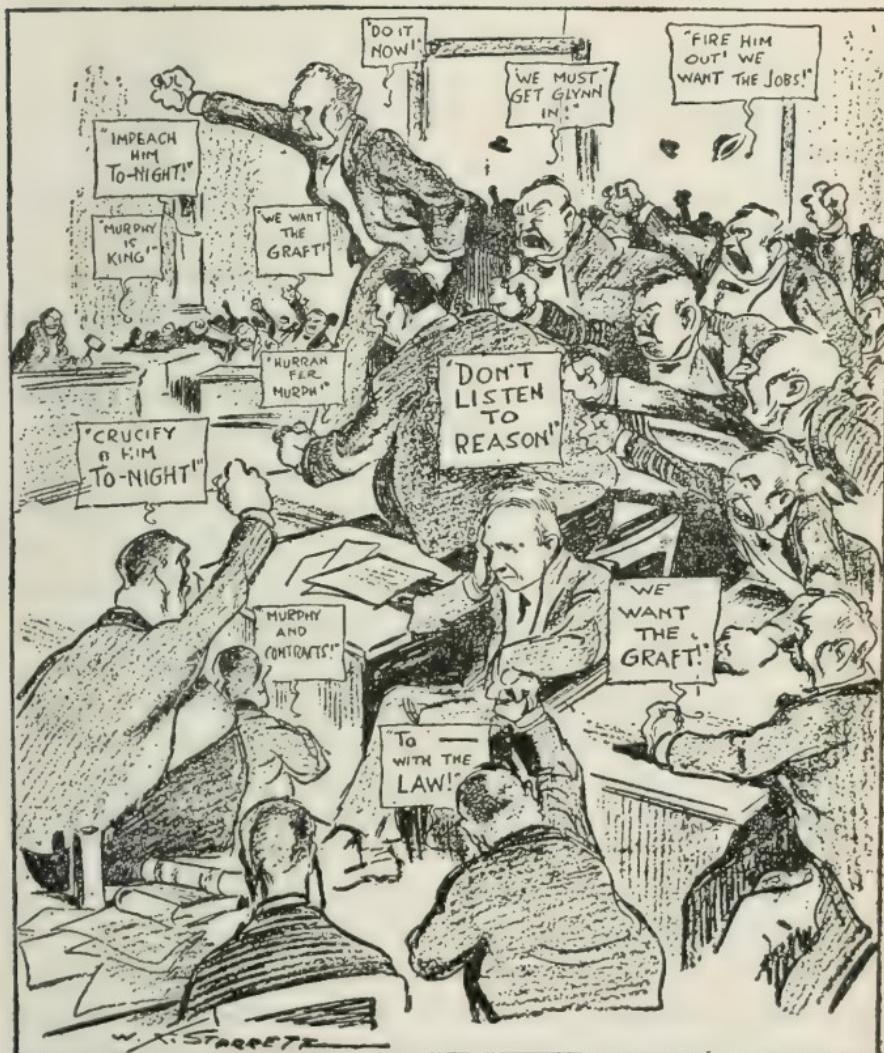
tigations would wreck the organization. All their enmity was aimed first at me and then blazed with fury at Mr. Sulzer when he sent for the district attorneys of several counties and outlined the testimony I was gathering.

"NO ONE BETTER THAN I KNOWS THAT HAD THE GOVERNOR AGREED NOT TO EXECUTE HIS OATH OF OFFICE HE WOULD BE TO-DAY UNCHALLENGED IN HIS PLACE AS THE EXECUTIVE NO MATTER WHAT OTHER BITTERNESS MIGHT BE DISPLAYED AGAINST HIS INDEPENDENCE OF BOSS CONTROL. HIS INFLEXIBLE DETERMINATION TO GO AFTER ALL THE LOOTERS AND HIS PURPOSE TO BEGIN WITH THE INDICTMENT OF BART DUNN, A MEMBER OF THE STATE COMMITTEE FROM TAMMANY HALL, ENDED ALL RELATIONS. THEN THE SAVAGERY OF RECENT EVENTS TOOK LIFE IN A CONFERENCE HELD BY CHARLES F. MURPHY. "IT'S HIS LIFE, OR OURS," WAS THE WAY ONE MURPHY LEADER PUT IT."

JNO. A. HENNESSY.

# THE GOVERNOR

## HOW MURPHY "IMPEACHED" SULZER



From the Albany Knickerbocker Press

A DRUNKEN, DISGRACEFUL PROCEEDING.

## CHAPTER XLVII.

**SULZER'S LAST MEETING WITH THE BOSS**

The Governor was insulted, and threatened with destruction, by Murphy during his interviews with the boss in February, March and April. Mr. Sulzer knew he had reached the parting of the ways. Nevertheless, mutual friends of the two men still indulged the hope that harmony might be restored. It was known among the Democratic leaders of the State that there was serious friction between the Governor and Murphy. C. Gordon Reel, superintendent of highways, had been removed by the Governor. Hoefer was forced out. Col. Joseph F. Scott, superintendent of prisons, had also been removed, and the air was full of rumors that other removals of Tammany men at the head of other departments were to be made. These disquieting reports disturbed the Democratic bosses, especially those responsible for office-holders as well as those through whom important contracts were awarded to friends.

Governor Sulzer attended the Jefferson banquet at the Hotel Waldorf, New York City, April 13, given by the National Democratic Club. Charles F. Murphy was present. Governor Sulzer was the principal speaker. It was observed that the two men did not recognize each other.

After the Governor had spoken, Norman E. Mack, of Buffalo, came to the Governor's table to greet him and said he was very sorry to know that there was a difference between him and Murphy.

"I should think," suggested Mr. Mack, "that this

trouble could be fixed up before it became public and a working agreement made between you for the good of the party. Will you meet Mr. Murphy after the dinner?" the Buffalo man inquired of the Governor.

Governor Sulzer replied he was willing, and suggested that they meet in the cafe downstairs. Mr. Mack carried the message to Murphy, who sent back word that it was too public a place and wanted to meet the Governor at his rooms at Delmonico's. Governor Sulzer refused to do this, and proposed to Mr. Mack that Mr. Murphy come to his rooms, in the Waldorf after the banquet was over.

When the Governor left the dining room and was on his way upstairs he met Judge Edward E. McCall and former Governor A. E. Spriggs, of Montana, and invited them to his rooms. While the three men were talking, Mr. Mack arrived and announced that Mr. Murphy was in the cafe but did not want to come to the Governor's room as newspaper men were there, and they would be likely to find out where he went if he went upstairs. Mr. Murphy again asked through Mack why the Governor could not meet him at Delmonico's.

Governor Sulzer once more declined to go to Delmonico's, and Mr. Mack went away, but returned soon to say that Mr. Murphy had left.

Judge McCall subsequently called Mr. Murphy up, on the telephone, at his home, and urged the Governor to meet him there.

Governor Sulzer reluctantly consented, and finally went. He has described what was said as follows:

"Judge McCall and I got into a taxicab and went to Mr. Murphy's residence. It was after midnight and Mr. Murphy let us in at the door. We sat in the front parlor and talked over the situation at Albany—appointments, legislation and so on. Mr. Murphy

would agree to nothing I wanted, and I didn't agree to anything he wanted.

"I asked him not to interfere with the trial of Stilwell in the senate: I said:

"'What are you going to do about Stilwell?'

"'Stand by him, of course,' replied Mr. Murphy. Stilwell will be acquitted. It will only be a three-days' wonder. How do you expect a senator to live on \$1,500 a year? That is only chicken feed.'

"At this conference," said Mr. Sulzer, "I urged Mr. Murphy to let me carry out in good faith the platform pledges of the Democratic Party for direct nominations. We talked over the bill. I told him there was a strong sentiment throughout the state in favor of this legislation. He said I did not know what I was talking about, that there was no sentiment for direct primaries except from a few cranks.

"I called his attention to the pledge in the platform. He said he was opposed to any bill that abolished the state convention, and eliminated the party emblem.

"I said that there could be no honest direct primary law unless that were done. He answered that the organization would never agree to any bill that did it, and that he would see to it that such a bill would be overwhelmingly defeated in the legislature. I said to him that unless we made good on direct primaries we would lose the State. He replied that he would attend to that.

"We again talked over appointments. I said that I was being criticised for not filling the two vacancies on the Supreme Court Bench. He talked over several names that would be agreeable to him, Mulqueen, Gillespie and others. I told him that I wanted to select the very best lawyers I could get, and said again that I would make no appointments unless the names were approved by the Bar Association.

"Before we parted that night I warned Mr. Mur-

phy that he would wreck the party and accomplish his own destruction if he persisted in shielding grafters and violating platform pledges. His angry retort was that he wanted investigations stopped; that I appoint the men he named; that if I refused he would destroy me.

"Every man," said the Governor, "who has borne the weight of a great office like that of the Governor of New York will appreciate my position. I wished to keep peace with the organization; I was anxious to avoid a break with Murphy. I knew only too well the legislature would obey Mr. Murphy's every order, whether given over the telephone or in person. I knew the terrible odds against me in the fight which I courted when I declined to submit to Mr. Murphy's dictation; when I declined to turn my office into an instrument for the corruption of government and the debauching of the state. I was reluctant to break, but I did it only because it became impossible to do otherwise, and not betray my oath of office, and forfeit every shred of my self-respect.

"When I returned to Albany after my last interview with Mr. Murphy I carefully considered my plight and the whole state situation. It was at that time, and only at that time, that any thought of resigning my office was in my mind.

"There were three paths for me to travel: to surrender to Murphy and be unmindful to everything except his orders; to fight for what I believed was right, regardless of Murphy, or to resign my office and give the people my reasons.

"It did not take me long to determine not to surrender. I could not do that and maintain my self-respect.

"Could I fight and win? It did not seem possible. I knew that Mr. Murphy told the truth when he said he could and would block me in the legislature. I knew also that every State department was under his control, save the few I managed to hold against him.

More than all, I knew from many years' knowledge of Murphy methods, that, when desperate, he would stop at nothing to thwart me, even to the extent he has done, which is not his limit.

"I thought long and seriously about it all. My impulse was to fight; but my knowledge of Murphy's control of everything, and the fear in which he was held by every legislator and officeholder, made fight seem hopeless.

"I alone would be the victim in the end. I was in debt and Murphy knew it. I was without funds to fight; had no power over the legislature; and Murphy knew it. Even friends of good government stood by, cynical, offering much criticism but little real help.

"Then I wrote out and signed my resignation as Governor.

"But as I thought it over it looked cowardly. I tore up my resignation. The old determination to fight came to me, and I made up my mind that no matter what the cost to me personally I would fight for the right, and fight hard to the end.

"And I have fought hard from that moment to the present day—how hard is proven by the enemies I have made—and the conspiracy they have worked out against me. Every agency these enemies could use to destroy me has been used. It is a long story—contemptible in its meanness."

## CHAPTER XLVIII

## THE DELMONICO CONFERENCE.

Every time Governor Sulzer spoke for direct primaries he spoke with a feeling and an earnestness that impressed those who listened to him with the idea that he had recently undergone a radical change in his opinions. He no longer veiled these opinions with equivocal language, but made plain in lucid and forceful English that he was for an honest, thoroughgoing direct primary law, because it was the only instrument by which the people could drive the bosses from power and restore popular government at Albany.

Those who listened to his fervent pleas for a direct primary law and denunciations of bosses were not aware at the time of his many tribulations resulting from the arrogance of the boss. The public gradually began to take notice of the fact that a real war had at last broken out between the two men, but it was ignorant of the events since the beginning of the year, which finally led up to and provoked the opening of hostilities.

It subsequently developed that it was the Governor's determination to carry the direct primary war into the Africa of Tammany, and especially his refusal to call off his special investigators from the pursuit of grafters that was the direct cause of the notorious Delmonico conference held May 20 which lasted all night, and where it was finally decreed the Governor must be removed.

By a man who claims to have obtained the names of those present from one of the conferees, those

who attended were: Charles F. Murphy, Norman E. Mack, Edward E. McCall, William H. Fitzpatrick, Patrick E. McCabe, Martin H. Glynn, John H. McCooey, Thomas Foley, Robert F. Wagner, James J. Frawley and Alfred E. Smith.

It is said others were present. Certain it is that such a conference was held and that it took the first steps towards procuring the impeachment of Governor Sulzer, who at that time was out on his first tour of the state in behalf of the direct primary bill which had been defeated at the regular session of the legislature. The legislature adjourned May 3 and within a few days thereafter the Governor issued a call for an extraordinary session to meet June 16, its sole purpose being to consider the direct primary bill.

Governor Sulzer addressed the first public meetings in Buffalo, May 19. At these gatherings, all of them being large and enthusiastic, he vigorously attacked the bosses, mentioning by name Charles F. Murphy, William H. Fitzpatrick and William Barnes. He also set forth the main features of the direct primary bill and called upon the people of Erie County to demand of William H. Fitzpatrick, the local Tammany boss, that he permit his seven assemblymen to vote as their constituents wanted them to vote on the primary bill.

"When the bosses permitted my nomination," he said, "I suppose it was their idea that they could control me, and I sometimes think if I were not so well informed they would control me. When they found out they could not control me they were the maddest men on earth. They say they are going to destroy me, but I say to you the only man who can do that is myself."

These plain, blunt speeches pleased the people but infuriated the Bosses. No Governor had ever dared to go before the people and hold the Bosses up to contempt in that fashion.

On or about May 20, Charles F. Murphy and his

aides held a council of war at Delmonico's, the private political headquarters of the boss. It was then and there resolved to "get something" on Sulzer and endeavor to have him removed from office, if in the meantime he did not cease his attacks on the organization and stop his investigations into the highway, prisons and other State departments. As Senator Frawley remarked a few weeks later to former fire chief Croker: "Yes, we are going through with this impeachment because it is either Sulzer's life or ours."

It was determined at the conference of Tammany leaders first to threaten the Governor with exposure of petty offenses and if he did not then take warning, to continue the attacks and remove him from office. The Frawley committee was made up before the legislature adjourned to pry into various matters, and to attempt to counteract the Hennessy and Blake investigations into the highways and prisons by holding hearings and assailing the data collected by the investigators. There was no intimation at the time that the Governor was to be made the subject of inquiry.

Soon after his return from the speaking tour for the direct primary bill, Governor Sulzer began to hear from the emissaries of Charles F. Murphy. At first the men who called on him pretended to be his friends more than they were friends of Murphy. They pleaded with him, "for the sake of the party," to cease his attacks on Murphy, and especially not to "imperil Democratic success" by investigations and making trouble over a direct primary law.

But the Governor convinced all of these messengers that he had resolutely made up his mind to stop the graft, and had set his face toward the goal of an honest primary law and that he would not let up his efforts.

Then followed another train of Tammany agents who were more blunt in their threats. They repeated what Murphy had told him in private in March; that

the boss "had something on him," and that it was the height of folly for even a Governor to continue fighting the organization if he did not want to be destroyed. Speaking of his experience at this time, Governor Sulzer said:

"Every agency known to these crooks and political conspirators was set in motion. My life was raked from the time I was born down to the present day by detectives, investigators and various sleuths, with a view of finding out something that would injure me. Criminals and perjurors were utilized to defame me. I was hampered and obstructed in my official duties and privately hounded, denounced and even my life threatened.

"The first thing the conspirators did in the plot to poison the public mind against me was to put out that Vermont business. I promptly told the truth about the matter and it fell flat. Subsequently I found out the paper Curtis gave out was a forgery, and I have sworn proofs to that effect. Then came the Philadelphia breach of promise frame-up. That also was a fake, and fell flat when I told the truth about it."

Governor Sulzer never saw Murphy after the meeting on April 13. After the final break, the Governor took every opportunity to prove to the people of the state that he was no longer consulting the wishes of the boss. When he finally resolved to resist Murphy at every point he concluded to make the fight against the grafters, and for a genuine primary law, the main issues between him and the enemies of good government.

## CHAPTER XLIX.

THE GOVERNOR'S LAST MESSAGE TO THE  
LEGISLATURE.

STATE OF NEW YORK.

EXECUTIVE CHAMBER.

Albany, July 23, 1913.

**To the Legislature:**

The regular session of this legislature convened this year on January 1, 1913, and it adjourned on May 3, 1913.

Prior to the thirty-day period for the consideration of measures by the Executive, the legislature had passed and sent to the executive, for his consideration, 531 bills. Of these, 442 were approved. A memorandum was filed with 22 of the measures. There were recalled 74 bills; and 15 were vetoed with separate veto messages.

During the thirty-day period the executive had under consideration 701 bills. Of these 351 were approved; and 350 were vetoed, with 19 memoranda of approval and 51 memoranda of disapproval.

All told, 793 bills were enacted into laws, out of a total of 1,232 bills, passed by the legislature and submitted to me for consideration.

The financial bills passed by the legislature, excluding sinking fund and bond interest bills, aggregated a total of \$55,108,705.25, made up as follows:

General appropriations.....\$30,236,987.29

General supply bill..... 6,916,922.60

Special appropriations..... 17,954,795.36

I approved \$29,825,897.29 of the general appropria-

tion bills; \$4,178,505.73 of the general supply bills, and \$13,778,862.21 of the special appropriation bills, making a total of \$47,783,265.23.

The total of financial items and bills which I vetoed amount to \$7,325,440.02.

During the regular session, the legislature having failed to pass a bill for direct primaries, on May 8, 1913, I issued a proclamation convening the legislature in extraordinary session to commence June 16, 1913.

This extraordinary session of the legislature was called for the purpose of considering the people's bill for state-wide direct primaries. It has been in session for a few minutes now and then for a period of over a month, but has signally failed to pass a state-wide direct primary bill, containing provisions which I recommended, and which I believe should be on the statute books of our state.

Since the convening of this extraordinary session I have sent the following appointments to the senate for confirmation:

To be a Trustee of Cornell University:

John DeWitt Warner, of New York City, a former member of congress, and a well-known lawyer.

For Public Service Commissioners, Second District:

William E. Leffingwell, of Watkins, N. Y., to succeed Frank W. Stevens, resigned.

Mr. Leffingwell was formerly a conspicuous member of assembly. He is a successful business man and well qualified for the position.

Charles J. Chase, of Croton-on-Hudson, N. Y., to succeed Curtis N. Douglas, term expired.

Mr. Chase has been connected with the New York Central Railroad for more than twenty years as a locomotive engineer. He is endorsed by railroad organizations, as well as by many distinguished citizens.

For Commissioner of Labor:

James M. Lynch, of Syracuse, N. Y., to succeed John Williams, resigned.

Mr. Lynch is one of the best known labor leaders in America. He is the president of the International Typographical Union.

These recommendations and these nominations speak for themselves; they are made in the interest of the common weal, and I indulge in the hope that the legislature will consider them on their merits, ere the adjournment of this extraordinary session.

It is useless to deny that at the present season of the year it is extremely difficult to secure the presence of a quorum to pass legislation, but I feel confident that an announcement by the legislative leaders, strictly adhered to, that pending legislation must be promptly considered by the votes of all the members, will accomplish the desired result; and to that purpose, I respectfully urge again that the measures recommended by me receive immediate consideration.

With a view of assisting the speedy despatch of pending legislative business, and of reducing to a minimum the necessary expense of this extraordinary session of the legislature, I hereby announce, for the information of the members, and all others interested, that I shall recommend to this extraordinary session no further legislation.

For the reasons herein stated, I now earnestly urge the prompt consideration of pending measures; and by the senate, the early action upon the appointments I have submitted, to the end that the general welfare be promoted; the convenience of the members conserved, and the expenses to the taxpayers reduced to a minimum.

Wm. SULZER.

## CHAPTER L.

### SULZER, MURPHY AND THE PEOPLE OF NEW YORK.

When Sulzer refused to call off the investigations of Blake and Hennessy he decreed his doom. Murphy then ordered the Tammany tiger in full cry in the greatest man hunt of its history. Following the orders of Boss Murphy, the Assembly of New York State on Wednesday morning, August 13, 1913, impeached the Governor. Thereby it proved beyond doubt that the Democratic party of the State is but a tool of the criminal New York City organization.

Governor Sulzer, now a victim of the greed of the grafters and the malice of disappointed corruption had stood pre-eminent for honesty.

It was this reputation that compelled his nomination, for the air was then surcharged with currents that made imperative the selection of a candidate of good fame. It was this that gave him a record plurality, large enough to show that not even Tammany treachery could have beaten him at the polls.

When he assumed office in January he faced conditions of singular complexity and peril. He should have foreseen that the situation was what is called impossible.

To his everlasting credit be it said that he took his stand with the decent, right thinking Democrats of the State. Tammany, to which he owed some allegiance, was and is the greatest combination of corrupt politics, corrupt business, and commercial-

In the face of Murphy's ultimatum, Governor Sulzer dismissed the two accused officials, and thereupon was notified that he would be driven from public life.

There has never been any doubt about the cause of the rupture. War was begun upon the Governor because he refused to turn over to Tammany certain departments which expend vast sums of public money, including \$50,000,000 for roads, in which proof of criminality had already been uncovered.

But the Governor's determination to give the people an honest administration held a more serious menace to Tammany than was involved in this reform of the prisons and highways departments. For several months the Comptroller of the State had been in seclusion, suffering from physical and mental breakdown.

The office was conducted by a deputy who is subservient to Tammany. But if the Comptroller were to die, Governor Sulzer would have the appointment of a successor, and would thus come into control of the department which audits the expenditures and holds the records of contract manipulation and corruption.

Under these conditions, Murphy's fear and hatred of the Governor were natural, and no one knew better than the threatened Executive that he was facing bitter assault. Indeed, he had exact and authoritative information.

Again and again emissaries of Murphy called upon him and diplomatically sought to cajole or frighten him. They warned him of attacks in preparation and even laid before him copies of "exposures" that were to be made concerning his life.

They showed him a paper alleging that he had been accused of perjury in a suit for attorney's fees, which he brought in Vermont nearly thirty years ago, and intimated that the document would never see the light if he showed a disposition to "be good." When he re-

## THE BOSS, OR

jected these overtures the charges were published; and while they were easily shown to be baseless fabrications and the accusing signatures forgeries, the infamous work of undermining his reputation had begun.

Meanwhile, he resumed his efforts to redeem the platform pledge for an honest primary act. With the Murphy threats hanging over his head, he called an extra session of the Legislature to enact such a measure, although he knew that by so doing he was putting a weapon in the hands of the boss.

*Murphy was not slow to seize the advantage. He summoned to his private headquarters in Delmonico's a group of the most powerful Tammany chiefs. Present at the conference were also several Tammany judges—some from the high courts—together with the Murphy leaders of the Legislature and Lieutenant-Governor Glynn.*

Then and there it was decided that Sulzer's defiance called for drastic punishment. "We must get him or he'll get us," was the conclusion; and it was determined that the Tammany-owned Legislature should be ordered to drive out of office the man whose purpose was a menace to every high corruptionist.

The results of this conference are familiar to the public. With ruthless pertinacity Tammany harried the man it condemned to destruction. The Governor's appointments were contemptuously flung aside by the Legislature, and every obstacle put in the way of his administration. Plot after plot was hatched against him. Newspapers were influenced to denounce him. The Murphy Legislature cut off the appropriation for the Executive office. The Governor had to pay for postage stamps out of his own pocket. Murphy's "orders" were: "Get the Governor"; and his minions to execute the "orders" had to paralyze the State.

But these harassments were less disreputable than the personal assaults directed against him. When the forged perjury charges had done their contemptible work a

ized vice in the world, and its expectations were plain. Over against it stood the sturdy up-State Democracy, demanding from the administration release from the domination of bossism and special privilege.

To serve satisfactorily these utterly antagonistic elements would have been beyond the capacity of a far more profound statesman than Governor Sulzer. Yet in the face of conditions so hopeless, he took office so inspired by the popular indorsement and the consciousness of his own high purposes that he was incapable, at first, of realizing the superhuman magnitude of the task he had assumed.

As a matter of fact, he did achieve many things. In compliance with platform pledges, he caused to be introduced several excellent progressive measures, many of which were passed after serious conflict.

He had, besides, a group of bills for the reform of the New York stock exchange, drafted upon the recommendations of the Hughes committee; and these were among the first of his projects to attract the lightnings of opposition. They were blocked in the Senate by the Murphy-Barnes combination, which gives bipartisan support to special privilege. But Governor Sulzer was able to force them through.

This victory was won by his exposure of Stilwell, a Senatorial bribe-taker. The Senate triumphantly acquitted its guilty member—a proceeding which is sufficiently characterized by citing the fact that on the same charges Stilwell was convicted in a criminal court and sent to prison.

The most important legislative project which Governor Sulzer undertook was the passage of an effective primary act, such as had been pledged in the platform upon which he was elected, and, indeed, in the other party platforms as well. The bill was emasculated by the Murphy-Barnes big partisan combination and made in many ways more dangerous than the

present law. In this shape it was passed. The Governor vetoed it. The bosses passed it again, and he vetoed it again.

Up to this point, it should be observed, while the Governor and Murphy had encounters over legislation, there was no open rupture. The gang contented itself with striking down such of his bills as it could reach; but it was all regarded as legitimate political warfare. The time was coming when the rules of this kind of maneuvering were to be flung aside and a campaign of political extermination begun.

The issue was graft and patronage. In the general matter of filling the offices Tammany was, of course, aggressive in its demands; but it was only when the appointment of the heads of State departments arose that the conflict became acute.

Boss Murphy, for reasons best known to himself, selected two important posts as his own, and made the appointments to them a personal issue with the Governor. The men he insisted upon naming were the Commissioner of Highways and the Superintendent of Prisons.

Fortunately for the public interest, Governor Sulzer had in his possession overwhelming proof of corruption in the department of prisons and of bad character in the superintendent. He likewise had, as the result of investigation, evidence of wholesale graft in the department of highways. The facts were specific and conclusive, and the trail they marked led straight back to Tammany, directly involving men in the inner circle surrounding Boss Murphy.

Perfectly aware of these conditions, Murphy demanded the retention of the Superintendent of Prisons. The Governor refused. The boss added the additional demand that the Commissioner of the corrupt highways department be undisturbed; Governor Sulzer declined, and gave his reasons.

prisal. When his enemies touched the core of his convictions, they found him adamant. Knowing fully their power, knowing the mercilessness of their hatred, he stood upon the one principle of official honesty. There can be no higher proof that Governor Sulzer was absolutely certain he was doing his duty and clearly conscious of personal and official rectitude.

There was never a more unequal fight—on one side the confederated powers of corrupt bossism and special privilege; on the other side one man, armed only with a single idea—the righteousness of his *Cause*. Yet there never was a contest so clearly one-sided, viewed from the standpoint of morality and decency, for there was not a single sound argument advanced in behalf of the interests that sought to destroy this man—this brave man—this honest man—this man Sulzer.

## CHAPTER LI.

## THE BOSSES' REASONS FOR THE GOVERNOR'S REMOVAL

Of the citizens who followed the events leading up to the removal of Governor Sulzer, doubtless many knew it was the sudden infliction of a spectacular revenge.

But it was, in fact, merely a necessary step toward the culmination of a great conspiracy, the object of which was to murder popular government and seize control of the State's affairs for corrupt Tammany.

This atrocious plot, engineered by Boss Murphy in behalf of his criminal organization and his special-privilege backers, was marked throughout by familiar methods and commonplace villainies. But it was unique in one respect—that there was not one person in the whole country who believed that a single honest motive animated the procedure.

Nor can there be found a reputable citizen who will seriously contend that there was a single participant in the audacious scheme who was moved by patriotism, or civic spirit, or anything save the basest impulses of crooked politics.

From Murphy himself, notorious as the leader of the world's greatest criminal organization, down to Lieutenant-Governor Glynn, the members of the Assembly and others of his underlings, there was not one who exhibited a redeeming sense of unselfishness or desire to promote the public welfare.

That this condition was unique a glance at history will show. There have been political crimes in all ages and all countries, but we recall none which was so desperate

## THE GOVERNOR

breach-of-promise case was devised to discredit him.

A young woman in Philadelphia was employed to enter suit against the Governor. It was a "frame-up." Her attorney was a man having close relations with a corporation from which Murphy holds huge contracts. In order to create the widest possible scandal, it was planned to arrest Governor Sulzer when he passed through Philadelphia on his way to the celebration at Gettysburg.

This shady scheme served to muddy the waters of the controversy for a few weeks longer, until Murphy was ready for his biggest plan of revenge—the impeachment. The basis of this was the charge that the Governor's statement of campaign expenses was incomplete.

Wall street, still smarting under the reform laws the Governor had put through, gladly turned to Tammany. Using every device to give the accusations their blackest possible hue, the Frawley committee named by Murphy conducted a long investigation, and finally recommended the impeachment ordered by the boss.

The action of the Assembly was unconstitutional, in that it dealt with matters not mentioned in the call for the extra session. In spite of this lack of authority and the flimsy nature of the charges, the resolution was jammed through—amid disgraceful drunken scenes—they say by bribery.

Murphy's obvious and avowed purpose was to stop Sulzer's graft hunt, and to obtain control of those State departments which award vast contracts and audit the expenditures of public moneys. His methods were the most desperate that avarice and hatred could conceive. He used even the power of the Legislature to strike down an honest executive chosen by the largest plurality ever given to an incumbent of the office and to replace him with a man he knew was "safe."

Governor Sulzer's motives are likewise transparent. When he was confronted with overwhelming proof of rank corruption, traceable to the chiefs of Tammany

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Hall, he determined to prevent, if he could, the further looting of the State.

Mr. Sulzer had come face to face at last with a clear-cut issue between right and wrong, and the understanding of it has gone down to the very bedrock of his Teutonic nature. One conviction possessed him—that he stood for what was honest and decent; his enemies for what is dishonest and corrupt. And against that conviction he was determined that the gates of hell should not prevail.

He was without funds. He was without effective newspaper support. All the special-privilege organs in New York were openly aiding Murphy. Hearst stood with Tammany in wanting Glynn as Governor. Even the New York *World*, once his ally, professed to believe that the alleged failure of his campaign committee to account for a few dollars involved a principle more vital than the surrender of the entire government of the State to the forces of graft and corruption.

He was without strong advisers. The reformers who urged him to fight ran away when the fight began.

No man, clearly, ever had such poverty of equipment for a fight against such overwhelming odds. Yet for months, with ever-lessening support, attacked from front and rear by unprincipled and relentless enemies, he stood unflinchingly against the corruptionists and for the honest policies to which he was pledged.

His assailants have attacked, in turn, his professional, his personal, and his official integrity. Every charge brought against him was reduced to its ugliest interpretation; every one was presented to him in secret before being made public in the hope of coercing him into compromise for his own safety. But he resolutely refused. He said he had done no wrong. His courage was sublime.

Through it all he never flinched. He has suffered treachery without complaint and brutality without re-

may elapse before the charges are tried—can paralyze the official power of the chief executive and replace him with a serviceable instrument of a corrupt machine.

This was exactly the conservative and highly constitutional course followed by Murphy. First he named a legislative committee to investigate the Governor on charges he supplied. The evidence gathered by Tammany spies and heelers was heard, and impeachment was quickly recommended. The Assembly majority—some members forced into action only by severe pressure—how much has not yet been proven—carried out its part of the orders. And thereupon, still with profound regard to the Constitution, the Murphy forces seized the Governorship. The procedure is justly characterized by the legislative bureau of the national Progressive party as follows:

“A small band of political enemies of the Governor were able, by use of their political power, to gather evidence, to present it to their own judgment, and, without any opportunity for the presentation of the other side to condemn their enemy as guilty of the crimes which they themselves had alleged against him, and, according to their claim, to remove him from office.

“Is it not strange that the “conservative” upholders of “invisible government,” which can execute its fiat within twenty-four hours, decry any change in the forms of government whereby the “hasty judgment” of a majority of the voters might be executed within the brief period of two or three months?”

But there should be a clear understanding of Tammany's corrupt motives, as well as of its despicable methods.

It is obvious, first, that Tammany, the most notorious of the agencies of special privilege, would not have nominated this man unless in the belief that it could con-

trol him. Therefore Murphy felt that Sulzer was an infinitely worse man than he would be if every charge in the articles of impeachment were proved to the hilt, for, compared with the treason he was expected to commit or allow, the acts of which he is accused are little faults that could be made against any public man during the past fifty years.

But there is not even a pretense that the impeachment was brought because of the Governor's alleged irregularities in the campaign statement. Those merely provided the weapons of assassination.

The purpose, of which there was no concealment, was threefold. First, to wrest from an unexpectedly honest executive State departments controlling vast patronage, the award of huge contracts and the auditing of expenditures; second, to prevent his forcing the passage of an effective primary law, the enactment of which would be the death warrant of the Bosses: and, third, to head off Sulzer's pursuit of the grafters and the exposure of millions of graft; and to inflict such punishment upon the Governor as would deter future public officials elected by the machine from daring to exhibit like proclivities toward decency and independence.

The real controversy, therefore, was not as to whether Governor Sulzer's campaign accounts were regular. It was as to whether corrupt bossism and special privilege shall by "constitutional" methods strangle popular government in New York State and perpetuate a system of misrule and public plundering.

or so disreputable that the perpetrators could not enter the plea that at least their aim was the common good.

When Brutus thrust his assassin's knife into Cæsar he struck, he said, because he loved Rome. The blood-crazed mobs of the French revolution, jeering their victims to the reeking guillotine, were inspired with a passion for liberty. Benedict Arnold believed that what his countrymen called treason was the truest loyalty, which would perpetuate the blessings of monarchy and avert the disasters of republicanism.

But in this Tammany conspiracy every motive was transparently evil. No one had the temerity to assert that there was any honest or patriotic purpose back of it. Even those who cheered on the pursuit of Governor Sulzer admitted that his assailants were public enemies, and that their aim was to acquire corrupt domination of the State government.

Thus the New York *World*, which was giving the most effective aid to Murphy's campaign for the removal of the Governor, at the same time gave this characterization of the gang that committed the assault:

"The *World* agrees with Colonel Watterson, that not one of the rogues who voted "impeachment" cares a jill of beans about the 'misdemeanors' of William Sulzer.

"Murphy ordered the impeachment as he would order a beefsteak at Delmonico's, and a servile Assembly voted the impeachment with more obsequiousness than a French waiter would show to a grand duke.

"The impeachment in itself is the most startling revelation of the degeneration of government that New York has ever known. A sordid, corrupt boss at one end of a telephone wire tells his half-drunken and depraved creatures in the Assembly to impeach the Governor of the State, and they respond like a trained dog. The Assembly obeyed Murphy with the same airy indifference with which the gunmen obeyed Becker when they were told to 'get' Rosenthal."

This is mild language compared to that habitually used concerning Murphy by some of the New York newspapers. Hearst's papers had been Governor Sulzer's strongest supporters, but in the real fight they had been strangely indifferent. One explanation for this change may be that Mr. Hearst wanted the Governor to remove Mayor Gaynor; so that he was not in a very good position, to denounce Murphy's efforts to oust an official elected by the people.

But we shall not argue further that Tammany and its purposes were vicious. Every well-informed citizen must know what no one has the hardihood to deny. The question which the thoughtful American will ask himself is this: How can it be possible for a gang of political freebooters to seize the government of a great State in full view of the people, although their intent is palpably criminal?

The explanation, dear reader, is simple. Tammany was putting through its conspiracy by the strict application of the glorious principles of "constitutional government." Mr. Murphy was demonstrating how admirable are the "orderly processes of the fundamental law," as opposed to such harebrained inventions as the recall, with its dependence upon the "gusty passions of the mob."

Under the Constitution of the State of New York, one more than half of the membership of the Assembly can, upon any pretext, impeach the Governor. It should be remarked here that the act of impeachment was a farce—not a trial. But it operated, according to the interpretation of the Tammany Boss, to remove the Governor elected by the people and substitute one more satisfactory to Boss Murphy.

The Assembly majority, then, which for years has been controlled absolutely either by the Republican or the Democratic boss, or by the two in concert, can impeach the Governor, and thereby—although weeks or months

There have been few more tragical episodes in our public life. But it will only be as the people come to be better informed as to the facts that they will realize how heavy was the pressure that Governor Sulzer withstood and how great was his courage.

He has his weaknesses, and discusses them frankly. He has always been in debt. Whenever he had a little money, it went from him rapidly. In a district where Tammany leaders have grown rich upon tribute wrung from the unfortunate, he has remained poor, and what funds he had were always at the service of importunate constituents.

There are, and no doubt will be, many opinions of William Sulzer's wisdom, capacity, and sincerity. But we think that the public records of America can be searched without finding a demonstration of steadfastness to duty, in the teeth of certain destruction, more heroic, more convincing, and more sublime than that which he has given to the people of the world.

## CHAPTER LIII.

## AN ANALYSIS OF THE SULZER CASE.

Only one President of the United States has ever faced trial under impeachment charges. Impeachment of executive officers in England became obsolete a hundred years ago. Out of many hundreds of men who have served as elected Governors of our States, only one has ever been duly convicted. This was the case of Governor David Butler, of Nebraska, in the year 1871. He was accused of an improper use of State money—the diversion of a small amount of the public funds to his own private benefit—and was found guilty and removed from office.

It has always been recognized that extreme hostility between a high executive officer and a legislature might arrive at the point where, for political reasons, the law-making body would persuade itself that its fight against a Governor ought to culminate in impeachment proceedings.

Probably no intelligent student of history to-day believes that Andrew Johnson should have been convicted in 1868; yet so strong were the political antagonisms of that day that there was lacking only one vote of the necessary two-thirds to have removed him from office. There would have been better ground for impeaching James Buchanan, and there was much talk of it; but it would have been politically impossible unless at the very end of his term. Both Johnson and Buchanan, like Governor Sulzer, were honorable men, so that there could have been no grounds of impeach-

## CHAPTER LII.

## THE PARADOX OF SULZER; THE TRIUMPH OF DUTY.

Boss Murphy's jeering prophecy that under the very first assault from Tammany Governor Sulzer would crumple like a piece of wet paper proved false. Even the supreme exhibition of the criminal machine's malign power—the forcing of the Legislature to commit high treason against the Empire State—did not break him down.

Governor Sulzer fought on—a knight of stainless virtue—defying the hosts of evil—a militant crusader wielding the sword of righteousness against the powers of darkness.

Mr. Sulzer is a warrior. In his make-up there is ever the spark of militancy. He would bring about the brotherhood of man by fighting for the right. He is the resolute champion of desperate causes. He had the qualities needed for the emergency, and is the first Governor of New York State who has been able to withstand, and morally triumph over, the combined forces of corrupt bossism and special privilege.

We have tried to explain the splendid paradox of Sulzer. His public and private acts traduced, his errors relentlessly exposed, brought to the bar of a hostile court of impeachment, he stood immovable. It was because the issue was clearly revealed to him. He saw that for the time being he alone stood between his State and its looters; that to yield or compromise would be ultimate dishonor. Stolidly, without whimpering and without

fury, he planted his feet upon that rock, and there he stood to the end.

The less venomous of his critics have said that he took his stand because it seemed he might win political capital. But to maintain this theory, they must ignore the facts. For six months he was subjected to the secret urgeings, cajolements and concealed threats of professed friends, who advised him to yield just enough to secure his own safety; and he refused.

The brutal assaults he endured were never unexpected. He had the chance to prevent the publication of charges that he had been accused of perjury, the bringing of the breach of promise suit and the pressing of the impeachment. Yet the enemy found Wm. Sulzer strong—a man of iron.

These charges were “framed-up.” But the supreme test was to come in a situation more trying than many public men had to face.

The next charge was that his campaign donations were larger than appeared in his return. The Truth is that the Governor handled no campaign moneys, and that he signed the statement drawn up by trusted friends when they told him it was correct.

Besides every dollar received by Mr. Sulzer for campaign purposes, directly or indirectly, was turned over to the Wilson-Sulzer Campaign Committee, or given to John H. Delaney and Charles F. Murphy for the Democratic State Committee. Not one dollar was kept by Mr. Sulzer, or used to buy stock. These matters are now known. The fact is the Wilson-Sulzer Campaign Committee did account for the money it received, and Delaney and Murphy did not account for the money given them. Sulzer could have saved his office at any time had he been willing to compromise with Tammany. Sulzer refused to compromise with Treason. That is the paradox of Sulzer—the Triumph of Duty—and nothing excels it, as an exhibition of moral courage, in all the history of America.

until after the Governor refused to be a cat's paw for Murphy. Sulzer had made broadcast promises to do his duty as Governor, and serve the people regardless of personal consequences. The Tammany men evidently regarded all this as a part of William Sulzer's campaign manner. The people of the State took Sulzer seriously and they were inclined to trust him, and more than ready to give him a fair chance. He had talked generalities; but he came down to practical problems in a very few days after his inauguration.

### THE BEGINNINGS OF A BITTER WAR

Troubles came rapidly. The Murphy gang desired to control Sulzer's appointments to the important positions, while Sulzer was determined to choose high-class men, and clean out the prevailing rottenness of the State departments. Governor Sulzer found the State institutions suffering under scandalous conditions of maladministration, and made swift but valuable preliminary investigations. He made remarkably good appointments, and found the State Senate disposed to block them under orders emanating from the chief of Tammany Hall. The fight came to its climax in the Governor's determination to enact a State wide primary law, in order to secure the nomination of high officials by direct popular action. The political machines of both old parties were determined to keep the State conventions for the nomination of Governor and leading State officers, because the Governor, through his appointing power, has his hand upon the vast interests involved in the State highway department, the canal department, the prisons department, the regulation of railway and other public-service corporations, and the supervision of banks and insurance companies. Great things were at stake.

## THE GREAT POINT AT ISSUE.

The control of State conventions to nominate the Governor and State ticket is essential in New York to the two party machines, and to the special interests that finance and support both of these machines. The politicians, who had always been opposed to the primary system, offered to concede everything to the Governor if he would allow them to keep the State conventions. He would not compromise with them, and vetoed the primary-election bills that they passed through both houses and sent up for his approval. If Governor Sulzer had been willing to let up on the grafters, and allow the politicians to have a primary-election law that retained the State convention, nothing would have been heard of any impeachment proceedings against him.

## ASSAILED FOR VIRTUES, NOT FOR FAULTS

Governor Sulzer showed high courage and great virtue as Governor of the State of New York during the brief period of his incumbency; and it is further true that the bitterness of the attacks upon him which led up to the impeachment were precisely in proportion to his exercise of political courage and public virtue in the discharge of his duties. However great or small his misdoings, his only fault in the eyes of those who decreed his downfall lies in the fact that he had been, from their standpoint, to use their own word, an "impossible" Governor; that is to say, it had been impossible to get him to obey "Charlie" Murphy, whether by threatenings or cajolings.

## THE STORMY SPECIAL SESSION

The Legislature had adjourned on May 3, having refused to pass the Governor's Statewide primary bill that

ment except those that we term "political" in the broad sense.

### GOVERNORS VERSUS LEGISLATURES

A President or a Governor represents the great body of the people by whose votes he has won his high office. Most members of a legislative body are individually obscure; and at best they represent small local constituencies. A legislature is often dominated by a political machine or boss, and where it is engaged in a fight against the Governor its course may be wholly directed by some political hand outside of the body itself. A Governor is a more responsible representative of the people of the State than the legislature. This applies particularly to States where the party system prevails, and where the legislature is controlled by a Republican or Democratic machine organization. In a contest, therefore, between a Governor and a legislature, the chances are public opinion will side with the Governor. The administration of Governor Sulzer, of New York, began the 1st day of January, 1913, and it was marked from the beginning by a fierce and continuous struggle between him and the Bosses. In this contest, with its almost innumerable points at issue, the Governor was invariably right, and the Bosses were invariably wrong.

### MR. SULZER AND THE LARGER TAMMANY.

The Legislature, in both houses, was controlled by Tammany, which means the personal mastery of Charles F. Murphy, the head of Tammany. Governor Sulzer had been a Democrat, more or less friendly to Tammany, for a great many years, and in his younger days he was in the Legislature and served as the Speaker of the body which brought impeachment charges

against him. But until he resigned in order to be sworn in as Governor, Mr. Sulzer had been a member of the House of Representatives at Washington for some eighteen years. He had not participated actively in the political affairs of the State of New York for a long time, while, on the other hand, Tammany had not concerned itself about Government matters at Washington. In Sulzer's young days, Tammany's aim had been to control New York City affairs, and to be influential at Albany only for the sake of controlling measures relating to matters in the metropolis. But as the State of New York had lately expanded its public activities, spending hundreds of millions upon canals, State roads, new prisons, and other important work, while also regulating public-utility corporations as well as insurance companies and banks, Tammany had aspired to control the situation at Albany, not merely for the sake of New York City affairs, but because it wished to acquire many State offices and to come into hand-and-glove relationship with the expenditure of enormous sums of State money. A larger Tammany had come into being.

#### How SULZER BECAME GOVERNOR.

These expanded aspirations of Tammany had been surprisingly realized under the weak, and Murphy controlled, administration of Governor Dix. Mr. Murphy would gladly have renominated Dix, but the up-State anti-Murphy Democrats would have bolted, and would have supported the Progressive candidate, Mr. Straus. The only possible compromise between Tammany, and the up-State Democratic reformers, seemed to be upon Congressman Sulzer, who had no enemies, was known to be popular, and stood in high esteem with all factions of his party.

There was no break between Sulzer and Murphy

the Democratic platform had promised the people, and that Governor Sulzer demanded. Although there was little hope of getting any reversal of its action, nevertheless, Governor Sulzer called a special session, and set June 16 for its beginning. It took courage to do this.

The Governor took the stump and attempted to bring popular pressure to bear upon members of the Legislature. But Murphy himself was obdurate, and the Murphy control remained unshaken. Under the State constitution, a legislature called in special session may only consider subjects expressly laid before it by the Governor. The special session rejected again the Governor's primary-election bill, and sent up to him again for his veto its own bill, so framed as to permit the machines to control the situation through their conventions.

The fight became every day more bitter, and the Governor's attacks upon Murphy had by this time gone so far as to preclude all hope of reconciliation or compromise. The Governor was determined to win for the people, and the Tammany boss in turn saw no way of escape except to destroy the Governor.

#### TRYING TO "GET" SULZER.

Sulzer was a People's Governor. No influence inimical to the people could control him, and the Tammany leaders, and the powerful interests behind them, determined to impeach him in order to get him out of the way. A mere majority vote of the lower branch of the Legislature was all that was needed to start proceedings. This majority was in the absolute control of Tammany. It was the theory of the Tammany lawyers that, under the Constitution of New York, the beginning of such proceedings would summarily suspend the Governor from his office and put the Lieutenant-Governor in his place with full and unrestricted authority as Governor. At that time the Tammany machine had not decided what kind

of charges they would bring against the Governor. Attempts were made to find him guilty of some impropriety in a law case thirty years ago. That fell flat. In this matter he was completely exonerated. A breach of promise suit was then "framed up." That fell flat, and on its face was absurd, because it related to flimsy affairs ten years ago.

#### THE INVESTIGATION OF "JIM" FRAWLEY.

Finally Murphy started his investigating committee to "frame-up" charges in impeachment. The chairman of this committee was a Tammany Senator, generally known among political people as "Jim" Frawley. It began its work in July, and the Legislature for weeks did little but mark time, adjoining and occasionally reassembling while Frawley summoned witnesses. Behind this Frawley Committee was a masterful guidance, supported by unlimited resources, and controlled by motives of self-preservation stimulated to the utmost.

Attempts were made to show that the Governor had tried to influence Assemblymen and Senators to obey their party platform pledges and vote for a direct-primary bill by his attitude toward the various measures in which they were individually interested. Such a charge, of course must work both ways. Members of the Legislature had also taken oaths of office, and are also liable to removal. The Governor could with much greater propriety ask them to support a public measure like the Statewide primary bill, than they could ask him to affix his signature to the scores of special measures that they had put through the Legislature by log-rolling and trading among themselves.

#### A WEAK POINT FOUND AT LAST.

Governor Sulzer refused to recognize the validity of

this legislative investigation. The Legislature would meet in regular session in January, and it could then do business upon its own initiative. The Constitution says that in sessions specially called by the Governor, he shall have the sole initiative as regards topics for consideration. In this contention the Governor was right both morally and legally.

All the charges brought against the Governor up to a certain time were undoubtedly frivolous. But finally a new line of attack was discovered. The committee began to investigate the Governor's personal and family affairs, and the report of campaign expenditures. Under the law, every candidate, whether elected or defeated, must within a few days after the election file a report of moneys used during his campaign.

If the Governor at this time had issued a full and complete statement of all the facts, it is doubtful if the Murphy Court would have dared remove him. It is known now that most of the money donated to Mr. Sulzer for his campaign was given to Murphy for the Democratic State Committee, and that the Democratic State Committee did not account for the same.

However, the Governor issued a brief statement, saying that the return of campaign receipts and expenditures had been prepared by others, and certified to by himself in the belief that it was correct. This and Mr. Sulzer's long record of unquestioned personal integrity and truthfulness were thought by his friends and law-

to be a sufficient answer to the charges of Murphy made through the Frawley Committee. Had the Governor, however, at that critical time taken the people into his confidence and told them the truth, as he did in his letter to Colonel Theodore Roosevelt; and then more fully in his campaign speeches in the Municipal election; and later under oath in the John Doe proceedings—the case of Murphy would have

fallen flat—and the Governor would have triumphed over his enemies.

### THE CONDEMNATION BY FRAWLEY

The Frawley committee presented its report to the Legislature on the night of August 11th. Their document, which was made rather extended and formidable, could be simmered down to the one point that Governor Sulzer had not filed a correct return of his election receipts. This charge was embroidered with all kinds of accusations of theft and perjury, and of attempt to prevent witnesses from testifying before the Frawley Committee. The accusation that Governor Sulzer had favored legislation to incorporate the New York Stock Exchange, with a motive of influencing the stock market, was so ridiculous that it is hard to understand how any member of the Legislature could have kept a straight face while promulgating such tomfoolery.

### SOME BEARINGS UPON THE CASE.

Before passing judgment upon Governor Sulzer as to his reticence at this time the reader should bear several things in mind. In the first place, the campaign for Governor of New York in 1912 was not based in any sense upon the use of money. There were three principal candidates—namely, Sulzer (Democratic), Oscar Straus (Progressive), and Job Hedges (Republican). The voters were interested in the Presidential as well as in the State campaign, and were not brought into the voting booths by expenditure of money on behalf of the candidates for Governor.

Mr. Sulzer was fairly and honorably elected. In the second place, it was well known that Mr. Sulzer was ambitious to make a fine record on high public grounds. He was too good a politician, and to deeply versed in po-

itical history, to have supposed for a moment that he could report only a part of his campaign receipts without having the matter brought to light at some future time in such a way as to embarrass his political career. Everything in Sulzer's record goes to show that political success is a much stronger motive with him than money-making. On the face of things, therefore, it is natural to believe that Governor Sulzer had not done the things which his accusers set forth, and besides it is clear that there was nothing in the alleged charges that furnished proper ground for impeachment. Judge Cullen so held on the trial.

#### A NOVEL KIND OF A CHARGE

It was not charged that he had won his seat as Governor by a corrupt expenditure of money. The charge against him was a wholly novel one, and without precedent in the field of politics or of public morals. The object of laws requiring the filing of campaign accounts had been to check the bribing of voters, or the lavish and unrestrained use of money to influence elections and bring about political results. Tammany's charges against Sulzer, however, took the novel form that the Governor did not spend very much money, and that he failed to give back to his friends certain sums which they privately sent to him for his own use. The facts as they finally came out show that Mr. Sulzer gave these moneys to John H. Delaney, and to Charles F. Murphy, for the Democratic State Committee. The chief object of the law, is to give publicity to campaign expenditures. If Delaney and Murphy gave the money to the State Committee, that committee should have reported it.

#### MAKING UP THE INDICTMENT.

The Legislature proceeded rapidly—but most brazenly

and disorderly. Upon the presentation of the report, absentee members of the Assembly were hurriedly brought to Albany by the Bosses, in order to vote in favor of the charges. On August 13—early in the morning—amid drunken and disgraceful scenes of riot and disorder—the vote was taken.

The roll-call showed seventy-nine votes in favor of impeachment and forty-five against. Seven Republicans voted "aye," and about half of those voting "no" were Democrats. Half of the Republicans were absent and did not act. The Assembly has 150 members, and the vote was taken at five o'clock in the morning, after an all day and an all night session, the delay being caused by the necessity of influencing a majority of all the members to vote "aye." Thus seventy-six votes were necessary to bring the impeachment charges, and seventy-nine affirmative votes were recorded on the roll-call. The formal charges had already been prepared behind the scenes. The resolution was finally jammed through the Assembly by the power of the Bosses and the pressure of the special interests amid the most vulgar and disgraceful scenes in the history of the State Legislature. Charges of bribery were freely made.

#### RIVAL GOVERNORS AND A CRITICAL DISPUTE.

As soon as the Bosses had determined upon their course of action a matter of the utmost importance arose at once. They contended that the decision of the Assembly suspended the Governor from office and put in his place the Lieutenant-Governor. The kept New York newspapers jumped at this same conclusion in editorials which even ridiculed the opposite contention. The Lieutenant-Governor, Mr. Glynn, believed himself entitled at once to exercise all the prerogatives of Governor of New York, and undertook to do so. Governor Sulzer

showed determination to hold his place, and his lawyers supported his view as to his rights, while counseling peaceable proceedings and a prompt resort to the courts for an interpretation of the Constitution.

### PRINCIPLES AT STAKE.

A somewhat shocking ignorance of the whole subject in its broad bearing was exhibited, especially by some of the metropolitan newspapers. Andrew Johnson's authority as President was never interrupted for a moment by his impeachment trial in 1868. There is no difference between suspension from the office of Governor and absolute removal, excepting that a suspension might not extend through the entire elective term. A hostile majority in a legislative assembly could at any moment trump up impeachment charges against the Governor, upon any pretext, however flimsy, and the other branch of the Legislature would be obliged to fix a date and proceed with the trial. The trial committee appointed by the lower house could protract the proceedings for a long time by their manner of marshaling evidence and making arguments. This would be a very easy way to throw a disliked Governor out of office, in the interest of a Lieutenant-Governor who would act in accordance with the wishes of the conspirators, if preferring charges involved instant removal.

It must be obvious that a Governor, elected by the votes of the people, should exercise his authority until removed from office by due process. The mere filing of charges by a majority in the Assembly constitutes no process at all. The only penalty for conviction by the court, after due trial of impeachment charges, is removal from office. It is preposterous in the highest degree to take the ground that the mere formulating of charges by one house, which has not even involved a preliminary process by an impartial body, could remove the State's chief

magistrate from the office which the people gave him. That nobody knew what was law and custom in such a crisis is chiefly due to the fact that the impeachment of high executive officers is virtually an obsolete practice—and the Sulzer case will be the last in this country. The people will soon have the recall in every State. The Sulzer conspiracy has made that inevitable.

#### TOO EAGER SUPPORT FOR TAMMANY.

Hidden behind the efforts to get rid of Governor Sulzer were various private interests, greedy to have conditions established under which their schemes might have better hope of prospering. The impeachment proceedings were obviously contrary to the provisions of the Constitution which limit the Legislature's initiative in an extra session. The whole business was the result of an audacious and wicked conspiracy. Its eager support by certain New York kept newspapers was pitiable in its sophistries, in its hypocrisies, and in its revelation of the well-nigh fatal power of the forces of "invisible government" that are engaged in a life-and-death struggle for combined mastery of the affairs of the State of New York. These kept papers continued to assert, day by day, that there could be no shadow of a doubt as to the meaning of the New York constitution, and that Lieutenant-Governor Glynn—the Murphy factotum and puppet—had the most unquestionable title to exercise all the functions of government.

#### THE IMPARTIAL VIEW.

Yet no intelligent and careful person could possibly read the constitution and examine the facts, from the standpoint of an impartial student, without seeing that the weight of reason and common sense lay with Governor Sulzer's contention, while the literal text of the

constitution was more favorable to the contention of Sulzer than to that of Glynn and Tammany. It was obvious, however, that Glynn, instead of trying to seize and exercise the functions of the Governorship, should merely have presented his demand, and upon refusal to have his claims accepted should have had mandamus proceedings brought in the courts to determine the points at issue. The kept newspapers attempted to make it appear that Governor Sulzer was a usurper in remaining in the office to which he had been elected. This was a ridiculous inversion of principles, because it was obviously his duty to continue to serve under his oath of office until the courts had shown that a majority of the Assembly, in an extra session, had the power to suspend him. Governor Sulzer was not merely right in endeavoring to keep possession of his office, but he would have been recreant and censurable if he had meekly abandoned his post prior to a decision as to the meaning of the constitution in several important respects. His offer to accept a judicial decision was enough.

The State as a whole was somewhat dazed by this rapid movement of events. Mr. Sulzer had amicably offered to Mr. Glynn to refer the questions involved to the courts to be immediately settled. Mr. Glynn did not dare to face the courts, and had peremptorily refused. As we have already said, nothing whatever had happened which would legally have justified Governor Sulzer in abandoning a post the duties of which he had sworn to perform. All the legal presumptions were in favor of a Governor who had not been tried for anything, but had been merely assailed by an aggregation of enemies justly regarded as the worst and most corrupt band of political cutthroats in any portion of the civilized world.

#### THE STRUGGLING FORCES IN POLITICS.

We have discussed the whole situation here, at some

length, because its merely local aspects are overshadowed by its larger significance. It is an episode in the continuous struggle now going on in this country against corruption and rascality in politics. Tammany Hall—in control at Albany and in more or less perfect agreement with certain of the managers of the Republican machine—constitutes the worst and most desperate element in that combination of selfish and evil interests that tries to dominate both national parties.

Governor Sulzer's strength consisted in his determination to be a good Governor, in spite of all pressure to the contrary. He had been relentlessly pursued because his enemies considered him a menace to the organization. Quite regardless of all that they may say against Mr. Sulzer, he is, without doubt, the very best man now in the public life of America, and incomparably superior to all of his opponents in merit and in title to public esteem. No man in all our history ever showed more manhood, more courage, and more fidelity to duty, in trying to reform existing evils and governmental abuses than Wm. Sulzer—and he fell a victim to the cause of honest government—but the blood of the martyrs is the seed of the Cause—and the Cause of honest government lives.

## CHAPTER LIV.

**GOVERNOR SULZER'S FLAT DENIAL OF FRAWLEY CHARGES THAT HE MADE PERSONAL USE OF CAMPAIGN CONTRIBUTIONS OR SPECULATED IN STOCKS.**

**THE GOVERNOR'S BOMB-LIKE DECLARATION THAT HE IS INNOCENT—DID NOT KNOW BROKERS—NEVER HAD AN ACCOUNT WITH FULLER AND GRAY OR BOYER AND GRISWOLD—DENIES ALL SPECULATION.**

(From the *New York Times*, August 12, 1913.)

Governor Sulzer, after a conference with his lawyers, issued the following statement containing emphatic denials of the charges of the Frawley Committee.

Probably the most important of these assertions was the one that he had not used campaign contributions for personal use. He also denied that he had speculated in Wall Street or used any money given him for the campaign to buy stocks.

From the beginning of the so-called revelations of the Frawley Committee the Governor has promised a reply when he had become familiar with the transactions with which his name had been connected.

Governor Sulzer's denials of all the charges made by the committee will, it is believed, put a new aspect on the case and make it necessary for the committee to revise its report or gather new evidence if it hopes to make out a *prima facie* case of impeachment.

The Governor's statement is as follows:

"In view of the fact that the Frawley Committee is about to file its report of the investigation it

has been making, I am advised that it would be unwise for me at this time to make any detailed statement in reply to the matters that have been brought to the attention of that committee, but having promised that I could furnish the press a statement, in fulfillment of that promise, I make the following reply to the matters that I am informed have been brought before such committee:

"I deny that I used campaign contributions for personal use.

"I deny that I speculated in Wall Street or used money contributed for campaign purposes to buy stocks either in my own name or otherwise.

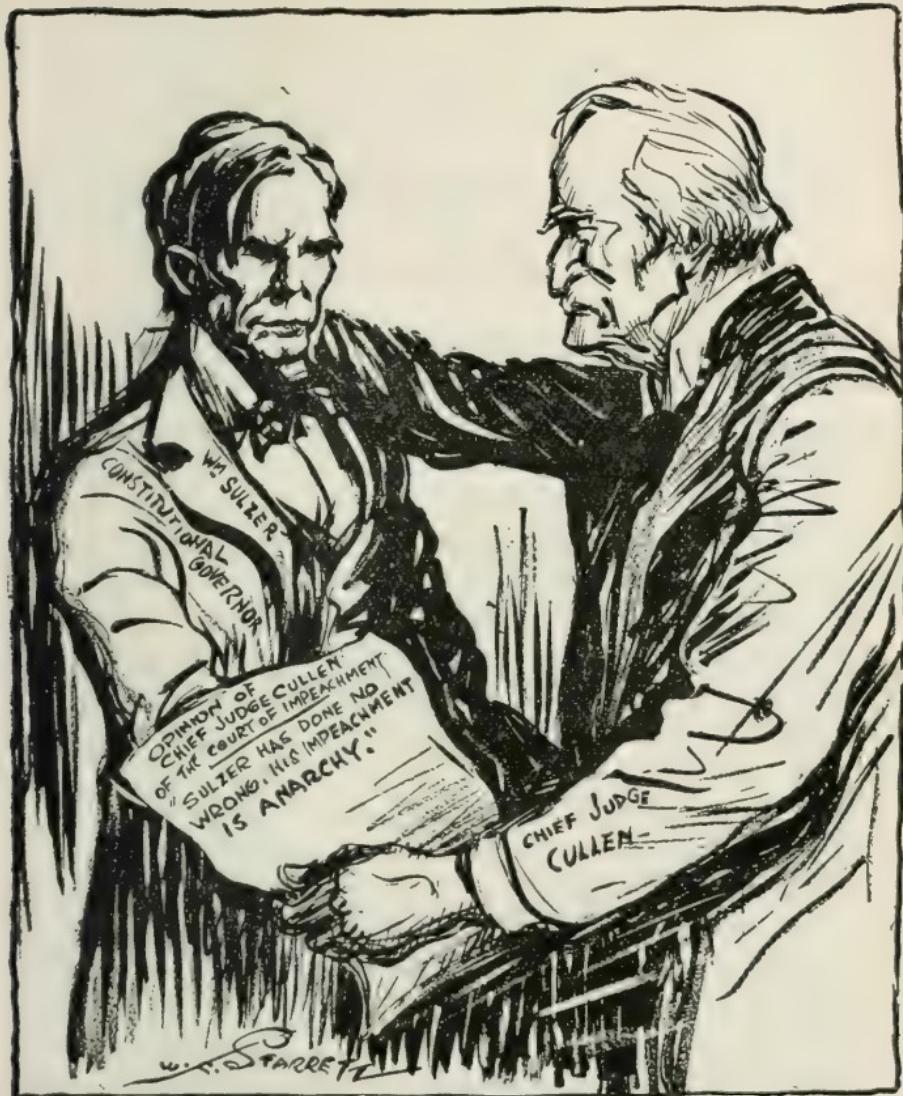
"I never had an account with Fuller and Gray, or Boyer and Griswold. I never heard of these firms; do not know the members, and knew nothing about the transactions with these firms, testified to before the Frawley Committee, until recently threatened with exposure, and the alleged transactions were brought to my attention by the Frawley Committee.

"The stock matter with Harris and Fuller was not a speculative account, but a loan account of long standing, made upon stocks as collateral, which stocks had been acquired and paid for years before my nomination for the office of Governor, and from other sources than Harris and Fuller.

"Certain checks given to me for campaign purposes were deposited to my personal account, and thereafter I paid the amount of said checks to the Campaign Committee.

"In filing my statement of receipts and disbursements with the Secretary of State, I relied upon information furnished me by the persons in immediate charge of my campaign, and in whom I had, and still have, the most implicit confidence, and I believed the statement furnished by them to me, at the time, to be true."

# THE CERTIFICATE OF HONOR



"THE PEOPLE'S COURT WILL REVERSE THE  
BOSSES' COURT ON ELECTION DAY"

The opportunities for stealing are so ever-present and easy—the rewards of theft so enormous—the likelihood of punishment is so slight!

The public debt of the city of New York rivals the national debt. We read of the Walpole regime in England with a kind of wonder. It was not a flea bite by comparison with the system of pillage which holds New York in a grip from which there seems no escape. Go where one may he encounters its agents and stumbles over its engineries. Scratch a politician, whatever label he wears, and you find a scamp. Things are every whit as bad as they were under Tweed. They were amateurs in those days. A part of their plan was to enjoy life. Wine, woman and song had seats at their tables. Now they are professionals. Addition, division and silence are ranged about the board where Fisk said "the woodbine twineth." No nonsense; just the firm hand, the cold stare, and, where need be the legend, "dead men tell no tales."

Poor William Sulzer! What siren voice of honest government could have lured him to battle on the off side of a stream having no bridges, his line of retreat leading through the enemy's country right into the deadly ambuscades and yawning rifle pits of Tammany Hall and Wall Street? One can well believe he did not wrongfully use a dollar; that the case against him is a "frame-up"; even that, like the dog in the fable, he was merely caught in bad company. Did he not know that Tammany was pollution, and Wall Street a house of prostitution? And, knowing the Indians were on the trail—that proof requiring explanation existed—had he had a spoonful of common sense it would have warned him betimes.

His efforts for honest government will plead for him. But they will plead in vain. Just as they white-washed Stilwell and Cohalan so will they impeach him.

Nothing will suffice to save William Sulzer if he were as guiltless as a lamb. Tammany has doomed him.

It is a veritable victory for crime. The private mistake—if mistake it was—of a man who was trying to do right is made the fulcrum from which a gang of grafters are enabled to remove an obstruction to their orgy of pillage. It is here that proof of the incapacity of the people of New York for self-government comes in. They are so at sea—so mis-advised by conflicting counsels—that they tumble about and over themselves like so much wreckage. They are perpetually off the banks and in a fog. They lack the wit to make their way to shore and to find some common ground. Their newspapers tell them nothing. They merely increase the thickness of the weather.

To be sure these newspapers proclaim their own infamy. Yet they continue to appear with regularity and effrontery that goes far to substantiate the doctrine of total depravity and establishes the fact that the people of New York are incapable of self-government.

## CHAPTER LVIII.

## HONESTY FIRST MARK OF WILLIAM SULZER

*Leading Editorial in Albany Knickerbocker Press, August 12, by Frank W. Clark, Managing Editor.*

Governor William Sulzer is a child of nature. He has the enthusiasm of a boy. His heart is great and open. He has trusted mankind because he has faith in and sympathy for humanity. His personal faith in friends has made it easy for unscrupulous persons to win his confidence wholly and implicitly, to play upon his heart strings, to lure him to unwise frankness and open confession of his private affairs. It is such men as these that have led Sulzer into traps. The Judas Iscariots of Tammany have won his confidence and have then betrayed him to their politically vile master.

There are no instances of baser treachery in the history of politics in the nation than the treasons of men whom William Sulzer so thoroughly trusted that he would have shed his lifeblood for them. This shameful phase of the tremendous conspiracy which is being laid to grab the government of the greatest state in the union for the benefit and enrichment of the most corrupt political organization of modern history will all be laid before the people of New York before William Sulzer finishes his fight for right and for justice.

Governor Sulzer has proofs that from the moment that Charles F. Murphy at the Syracuse state convention consented to his nomination for Governor Mr. Murphy's personal spies have dogged his heels. They have searched his life history. They have invented base lies about his past life. They have stolen from his house-

hold and from his office in the executive chamber private papers and valuable records. Nor have they stopped there. Personal belongings of Mrs. William Sulzer—a noble woman whose sufferings in these times can be imagined—including jewelry which she prized most highly for its associations, have been ruthlessly taken away.

Had William Sulzer been a less trusting man he would have discovered before he took the oath of office as Governor that the intention of Tammany Hall was to use him as its pawn, or failing to make of him a ready tool, to destroy him. Governor Sulzer, in spite of his human failings, and with full knowledge of personal consequences, made up his mind some weeks ago to sacrifice himself for the people of the state of New York. He has said, and he meant it, and he repeats it now, that he does not care what shall become of William Sulzer personally. He will not compromise with Tammany—with treason. He has offered himself as a sacrifice upon the altar of good government as an instrument of the people in the war of the honest portion of New York state's electorate against official and unofficial graft and corruption.

There is not a dishonest hair in the head of William Sulzer. Had William Sulzer been a dishonest man his many years in congress would have seen him a millionaire. Had he been a dishonest man the luxuries which Charles F. Murphy enjoys at Good Ground would not have been denied to William Sulzer. William Sulzer has always been pressed hard financially. He has devoted himself much to ideals and little to practical business affairs. Through carelessness, but not through dishonesty, the financial affairs of William Sulzer have in the past become entangled. But the people of the state of New York know that he is an honest man. In the hysteria of the present clamor for his crucifixion let it be understood by the people of the state that if they permit

his political destruction at this time, if by breach of law Tammany is permitted to remove him from office, there will be created in American history a real martyr for whom future generations will erect lasting monuments.

It is perhaps a good thing for the state of New York that the venomous Tammany is carrying its fight so far and with such high handed treason, for whatever may be the result of the present battle, in the end only good can come. It is too late for a truce.

If William Sulzer had been less stubborn in his fight for honest government, Tammany would not be attacking him. Tammany's present attack was made because it believed that through despicable and cowardly assaults of the Frawley committee it had built up a circumstantial case against William Sulzer which would cause a revulsion of feeling against him on the part of all of the people of New York state. Tammany believed that Mr. Sulzer would be left standing alone in the Governor's office, a friendless and dishonored man.

It was Tammany's plan to plunge its already guilty knife into the political heart of a deserted human wreck. Had there been more of thought and less of hysteria on the part of the press of the state in the last few days Tammany would not dare to move upon the capitol at Albany with a threat of impeachment proceedings, and the Frawley committee would be skulking in the byways.

It sometimes requires an overwhelming crisis to bring out of a man the bigness that is in him. It was a crisis of such magnitude that made Abraham Lincoln the savior of the nation. There are indications at the present crisis that his solemn obligations to the people of the state will make of William Sulzer a capable and efficient instrument for the delivery of the state for all time from the clutches of professional plunderers of the public treasury and the rule of political bosses who are the partners of shady business and compose the "invisible government."

## IMPEACHING SULZER



From the Albany Knickerbocker Press

THE TRIUMPH OF THE SYSTEM.

## CHAPTER LIX.

## THE PEOPLE'S HOUSE OR FOURTEENTH STREET.

*Leading Editorial in the New York American,  
July 29, 1913.*

The fight between Murphy and the Governor of New York—savage and relentless—presents a crisis as serious and menacing as the Empire State has known within a century.

Suppose that Murphy and Tammany Hall should prevail to destroy the Governor of New York for the simple reason that the Democratic Chief Executive had sincerely and fearlessly advocated the right of the people of New York to vote individually in direct primaries.

What would be the effect of such an unholy triumph?

It would minify and deprecate the power and authority of the Governor of New York now and hereafter.

It would magnify and glorify the power and prestige of Tammany and Tammany's Boss now and hereafter.

It would degrade the State. It would dignify the Boss and the Machine.

*It would make it easier for every subsequent boss to win.*

*It would make it easier for every subsequent democratic Governor to lose.*

Since the days of Samuel J. Tilden no democratic Governor has ever fought Tammany in so vital a cause of good government, or burned his bridges so fearlessly behind him in the fight as brave Wm. Sulzer.

If the Tammany boss and the Tammany machine should mass its forces of criticism and abuse and virulent slander, and break the Governor's influence and destroy

his repute just when it is being used for the public good, then two things are evident.

No other Governor is likely to dare the wrath of so deadly and destroying a political organization in the future affairs of the state.

And the baneful influence and power of Tammany and Murphy to-day will be doubled and quadrupled for the future.

It is a fact that just now Governor Sulzer is fighting as just and righteous a vital battle for the people as any Governor has fought before him. It is a fact that Tammany and Murphy, with all the long evil record of graft and bossism behind them, are making the effort of their lives to destroy the Governor of New York, personally and officially, because he is fighting the people's fight against the grafters and the Tammany machine.

And it does seem evident that every good citizen—or every decent citizen—should in this fight, at least, stand whole-hearted and wholehanded behind the Governor and the people against the boss and the machine.

## CHAPTER LX.

THE ASSEMBLY ROLL CALL—THE RECORD OF  
DISHONOR.The Tammany Assemblymen Who Voted To Impeach  
Governor Sulzer.

Frederick S. Burr, Kings	Daniel F. Farrell, Kings
Laverne P. Butts, Otsego	Joseph V. Fitzgerald, Erie
James C. Campbell, New	James J. Garvey, Kings
York	George Geoghan, Erie
Charles J. Carroll, New	Mark Goldberg, New York
York	Abram Greenberg, New
Raymond B. Carver, New	York
York	Wm. Pinkney Hamilton,
Thomas B. Caughlan, New	Jr., Kings
York	Ernest E. L. Hammer, New
Marc W. Cole, Orleans	York
Salvatore A. Cottillo, New	Harry Heyman, Kings
York	Thomas L. Ingram, Kings
Cornelius J. Cronin, Kings	Edward D. Jackson, Erie
Louis A. Cuvillier, New	Thomas Kane, New York
York	John A. Kelly, Dutchess
Stephen G. Daley, Onon-	John J. Kelly, Kings
daga	Joseph D. Kelly, New York
Karl S. Deitz, Kings	Patrick J. Kelly, Onondaga
George E. Dennen, Kings	John Kerrigan, New York
Thomas F. Denny, New	Owen M. Kiernan, New
York	York
Charles D. Donohue, New	David H. Knott, New York
York	Thomas J. Lane, New York
John Dorst, Jr., Erie	Jesse P. Larrimer, Kings
Joseph H. Esquirol, Kings	Aaron J. Levy, New York
Stephen A. Fallon, Suffolk	David C. Lewis, New York

Tracy P. Madden, Westchester	Harry E. Oxford, New York
Thomas B. Maloney, Nassau	E. Burt Pullman, Herkimer
Martin G. McCue, New York	John J. Robinson, Suffolk
Eugene L. McCollum, Niagara	James M. Rozan, Erie
Minor McDaniels, Tompkins	Jacob Schifferdecker, Kings
Peter P. McElligott, New York	Jacob Silverstein, New York
Patrick J. McGrath, New York	George F. Small, Erie
Ralph R. McKee, Richmond	Frank J. Taylor, Kings
John J. McKeon, Kings	Robert L. Tudor, New York
Patrick J. McMahon, New York	James B. Van Woert, New York
Joseph J. Monohan, Kings	James J. Walker, New York
Mortimer C. O'Brien, Westchester	Theodore Hackett Ward, New York
Vincent A. O'Connor, Kings	Edward Weil, New York
	Frederick Ulrich, Kings
	Wilson R. Yard, Westchester
	Alfred E. Smith, Speaker, New York

### Republican Assemblymen Who Voted to Impeach Governor Sulzer.

Frank M. Bradley, Niagara	Herman Schnirel, Ontario
Clarence Bryant, Genesee	Myron Smith, Dutchess
Eugene R. Norton, Washington	Thomas K. Smith, Onondaga
	John R. Yale, Putnam

### Democratic Assemblymen Who Voted Against Impeachment.

Albert C. Benninger, Queens	John W. Gurnett, Schuyler
Verne M. Bovie, Westchester	Alexander W. Hover, Columbia
Samuel J. Burden, Queens	
Dr. Robert P. Bush, Chemung	Augustus S. Hughes, Seneca
William T. Doty, Orange	Lawrence M. Kenney, Ulster
Edward A. Dox, Schoharie	J. Lewis Patrie, Greene
Mark Eiser, New York	C. Fred Schwartz, Rensselaer
Fred. F. Emden, Oneida	
John K. Evans, Sullivan	James L. Seeley, Steuben

Charles H. Gallup, Monroe  
 Eldridge M. Gathright, Ulster  
 Albert F. Geyer, Erie  
 Louis D. Gibbs, New York  
 Frederick G. Grimme, Rock-  
 land

Arthur P. Squire, Schenec-  
 tady  
 Howard Sutphin, Queens  
 John W. Telford, Delaware  
 Tracy D. Taylor, Rensselaer  
 Clare Willard, Cattaraugus

**Republican Assemblymen Who Voted Against  
 Impeachment.**

Caleb H. Baumes, Orange  
 William C. Baxter, Albany  
 Mortimer B. Edwards,  
 Broome  
 Brayton J. Fuller, Oneida  
 Walter A. Gage, Montgomery  
 Michael Grace, Cayuga  
 Harold J. Hinman, Albany  
 Edward M. McGee, Living-  
 ston  
 John G. Malone, Albany

Spencer G. Prime, Essex  
 Frank L. Seaker, St. Law-  
 rence  
 Gilbert T. Seelye, Saratoga  
 Walter A. Shepardson, Che-  
 nango  
 Morrell E. Tallett, Madison  
 Niles F. Webb, Cortland  
 James H. Wood, Fulton and  
 Hamilton

**Progressives Who Voted Against Impeachment.**  
 Michael Schaap, New York      Solomon Sufrin, New York  
 E. W. Birnkrant, New York

OF THE SEVENTY-TWO DEMOCRATIC AS-  
 SEMBLYMEN WHO VOTED TO IMPEACH  
 GOVERNOR SULZER ONLY SEVENTEEN,  
 ALL TAMMANY MEN, WERE RE-ELECTED  
 AT THE ENSUING NOVEMBER ELECTION.  
 ALL SEVEN REPUBLICANS WHO VOTED TO  
 IMPEACH WERE DEFEATED FOR RE-ELEC-  
 TION. NEVER BEFORE IN THE HISTORY OF  
 THE NEW YORK STATE ASSEMBLY HAD  
 THERE BEEN SO COMPLETE A SWEEP BY  
 THE VOTERS AS THE RESULT OF A VOTE  
 ON ANY ONE SUBJECT. That tells the story of  
 what the voters of the state thought about it, and the

result needs no further comment. The seventeen Assemblymen who escaped defeat were re-elected by greatly reduced pluralities, and in districts so strongly Tammany that only an earthquake could dislodge them.

## CHAPTER LXI.

## THE SULZER TRIAL A DISGRACEFUL POLITICAL FARCE.

The trial of Governor Sulzer was cut and dried before it began; a travesty on justice; and farce from beginning to the end. The laws and the constitution of the state were ruthlessly trampled under foot; the rules of evidence thrown to the winds; and everything derogatory to the Governor accepted, and everything in his favor sneeringly rejected.

During the trial Judge Herrick, one of the counsel for Mr. Sulzer, said:

"If there is a determination here to convict Governor Sulzer, do it without any violation of the law. It is related that one of the judges of the Court of Appeals, not one of the present court, said that 'when me and Judge So-and-so make up our minds to beat a man, we can always find a way to do it.'"

At one stage of the trial, Former Senator Hinman, of counsel for Mr. Sulzer, exclaimed dramatically:

"The question is, was Mr. Sulzer impeached because of 'mal and corrupt conduct in office,' or was he impeached because of what he refused to do since he took office?"

"Was he impeached, as they say, for the purpose of getting rid of a public official who was performing his duty?

"Was he impeached, as they say, for keeping some of the moneys which his friends gave him, or was it because he was preventing the grafters from stealing the moneys of the taxpaying?

"Was he impeached because, as they say, he made a false statement as to his election expenses, or was it because he refused to violate his official oath of office?

One of Mr. Sulzer's lawyers, Louis Marshall, in a speech during the trial which will rank among the great forensic efforts in the history of the American bar, said:

"William Sulzer, who wrought all this for the plain people, an honest man, stands before you to-day, on trial for his every existence, charged with being a criminal, and for what? Not because while an incumbent of office he has been guilty of official corruption; not because he has taken one dollar of the people's money, or has enriched himself at their expense, or has received a bribe, or has done aught to injure the public weal; not because he has been guilty of treason, of a violation of the constitution, or of his oath of office; not because he has neglected the performance of his official duties, or has absented himself from the seat of government, or indicated, to the slightest degree, a lack of zeal for the public welfare. It is not charged that he was incompetent, or ignorant, or incapable of performing the duties of his office, or that he has not been duly watchful of the interests which he has been sworn to guard. It is not charged that he has entered into conspiracy with those who would loot the public treasury, or who would fatten on contracts improvidently or corruptly drawn without safeguards to forestall adequately the possibility of fraud and collusion. The achievements of his administration, as they have passed before the eyes of the people, absolve him from all suspicion of guilt in regard to any of the offenses contained in the category of the usual form of official misconduct."

"And yet the 'Powers That Be' are now seeking to remove William Sulzer from the office which he has thus honorably filled, fifteen months before the expiration of the term for which he was elected. If Macaulay's celebrated New Zealander, or Montesquieu's fa-

mous Persian were now among us, they might well ask, why in this land of boasted liberty and freedom one deserving so well at the hands of his fellow men should be subjected to this awful degradation, and why the state which he has served so well should be involved in his ruin and disgrace. The only answer which could be vouchsafed to them is to be found in the "framed up" articles of impeachment, which, as the record shows, were adopted, amid disgraceful drunken scenes, at dawn on the fatal 13th day of August, 1913, by a bare majority of the assembly."

However, the bosses, and the Special Interests, had doomed the Governor—they had the votes—and no law; no truth; no eloquence; no facts; and no constitution could save him. "Away with him," they cried. "Crucify him! It's his life or ours!"

The vote of removal was close—39 to 18. If the Governor had two more votes he would have been acquitted. It required a two-third vote to remove the Governor.

Those who voted against the Governor, and for the Bosses, were the following:

Judges Frederick Collin, William H. Cuddeback, John W. Hogan (democrats); Frank H. Hiscock, Nathan L. Miller (republicans).

Senators George A. Blauvelt, Rockland county; John J. Boylan, Manhattan; Daniel J. Carroll, Brooklyn; William B. Carswell, Brooklyn; Thomas H. Cullen, Brooklyn; James A. Foley, Manhattan; James J. Frawley, Manhattan; Anthony J. Griffin, Manhattan; John F. Healy, New Rochelle; William J. Heffernan, Brooklyn; James D. McClelland, Manhattan; John F. Malone, Buffalo; John F. Murtaugh, Elmira; Bernard M. Patton, Queens; Henry W. Pollock, Manhattan; Samuel J. Ramsperger, Buffalo; Felix J. Sanner, Kings; George W. Simpson, Manhattan; C. D. Sullivan, Manhattan; Herman H. Torborg, Kings; Henry P. Velte,

Brooklyn; Robert F. Wagner, Manhattan; Loren H. White, Schenectady (democrats).

Senators George F. Argetsinger, Monroe County; Elon R. Brown, Watertown; Thomas H. Bussey, Wyoming county; Herbert P. Coats, Saranac Lake; Frank M. Godfrey, Olean; Charles J. Hewitt, Cayuga county; William L. Ormrod, Monroe county; Henry M. Sage, Albany; George F. Thompson, Niagara county; Henry J. Walters, Syracuse; Thomas B. Wilson, Ontario county (republicans). Total 39.

Those who voted for the Governor, and the people, were the following:

Chief Judge Edgar M. Cullen, and Judge Williard Bartlett (democrats); Judge Emory A. Chase, and Judge William E. Werner (republicans).

Senators James F. Duhamel, Brooklyn (independent); Walter R. Herrick, Manhattan; John W. McKnight, Rensselaer; Thomas H. O'Keefe, Oyster Bay; William D. Peckham, Utica; John Seeley, Steuben county; Gottfried H. Wende, Buffalo, and Clayton L. Wheeler, Delaware county (democrats).

Senators James A. Emerson, Warrensburg; Seth G. Heacock, Ilion; Abraham J. Palmer, Ulster county; John B. Stivers, Middletown; Ralph W. Thomas, Madison county, and George H. Whitney, Saratoga county (republicans). Total 18.

*Citizens of the State of New York, do not forget the names of these men. Remember the names of the men who sustained you, and voted for your Governor. Remember the names of the men who voted to remove your Governor at the behest of the Invisible Government, and at the dictation of the Bosses and the Special Interests. May these subservient Senators meet the political fate next Fall of the recreant Assemblymen last Fall.*

## CHAPTER LXII.

## THE MURPHY CHARGES AGAINST THE GOVERNOR IN A NUTSHELL.

Mr. Murphy had the Frawley Committee appointed just before the Legislature adjourned in regular session.

Its ostensible purpose was to investigate some of the institutions of the State, but its real purpose was to discredit the good work Blake and Hennessy were doing in their investigations to uncover the graft in the Prisons and the Highways Departments.

The Frawley Committee began its sessions by going after Blake and Hennessy. It accomplished little, however, and remained quiescent until the extraordinary session of the Legislature convened, in June, 1913.

Then Mr. Murphy had one of his Assistant Tammany Senators from up-State, Senator Thompson, of Niagara County, introduce a resolution enlarging the powers of the Frawley Committee to investigate Election matters. Under the constitution this could not be done in an extra session unless recommended by the Governor. However, the ostensible purpose of this resolution was to discredit the Governor's fight for Direct Primaries and to prevent the enactment of the Governor's Direct Primary Law. But the real purpose of the Thompson resolution was to have the Frawley Committee investigate the personal and family affairs of the Governor. This was very clearly shown in July when the Frawley Committee began to make a great hullabaloo concerning a few donations which were given to Mr. Sulzer when he was a candi-

date for Governor, and which had not been accounted for in the statement prepared by his campaign committee. As we have heretofore shown, and will show hereafter more clearly, these funds were given, in the first instance, to Mr. Sulzer, and all of this money, every dollar of it, and more besides, which was not turned over to the Wilson-Sulzer campaign committee, was given by Mr. Sulzer to John H. Delaney and to Charles F. Murphy, for the Democratic State Committee. This matter was brought out very clearly in the John Doe proceedings, and the sworn proof stands uncontradicted on the record.

On the trial before the Court of Impeachment the prosecution—after months of search and investigation—proved that Mr. Sulzer had received about \$27,000 all told as donations from his friends during the campaign. Of this amount, the proof showed that \$12,000 went to the Wilson-Sulzer campaign committee, and the testimony in the John Doe proceedings proved conclusively that \$15,000—and more—went to Mr. Delaney and to Mr. Murphy for the Democratic State Committee. So of all the money given to Mr. Sulzer by his friends during the campaign, not one dollar went to his own use, or was kept by him. That is the truth. The record proves it. Every dollar was given to the Wilson-Sulzer campaign committee, or was turned over by Mr. Sulzer to Delaney and Murphy for the Democratic State Committee.

Mr. Murphy's charges against the Governor, stripped of their legal verbiage and political clap-trap, we find in eight articles as follows:

Article 1. Alleged filing an erroneous statement of campaign contributions.

Article 2. Alleged acknowledgment that this statement was true.

Article 3. Alleged efforts to withhold testimony before the Frawley Committee.

Article 4. Alleged efforts to suppress testimony before the Frawley Committee.

Article 5. Alleged efforts to prevent witnesses from appearing before the Frawley Committee.

Article 6. Alleged private use of campaign contributions.

Article 7. Alleged efforts to influence the votes of Members of the Assembly for his Direct Primary Bill.

Article 8. Alleged efforts to influence the price of stocks on the New York Stock Exchange through legislation he recommended.

The Governor was unanimously acquitted of all these charges except Articles 1, 2 and 4. They were too ridiculous even for consideration. The votes on Articles 1, 2 and 4 were close. If the Governor had received two more votes, he would have been acquitted, and his counsel from the first were confident of his acquittal of all the charges, first, because the proceeding was in violation of the Constitution and the Laws of the State; and secondly, because they were confident that Senator Wagner, who was financially interested; and Senators Frawley, Sanner, Rampsberger, Brown, Blauvelt and Thompson, who had prosecuted the Governor, and had expressed an opinion as to his guilt before the trial began, would refrain from voting by a sense of the decency.

Senator Wagner was financially interested, because as a Senator and President pro tem of the Senate, he was receiving \$1,500 a year, and the removal of the Governor made him Lieutenant Governor of the State at a salary of \$5,000 a year. Senators Frawley, Sanner, Rampsberger, Brown, Blauvelt, and Thompson had been the most bitter prosecutors and persecutors of the Governor, and had verbally, or in writing, expressed their opinion as to the Governor's guilt before the trial began. Under no circumstances should they have voted. A sense of decency should have restrained them from voting to remove the Governor. There is no case in the history of the

English speaking world, where members of a Court had expressed an opinion, or who were financially interested, who ever voted to remove an official in an impeachment trial. The Sulzer case overthrew the precedents of three centuries. It was like putting the defendant in the Jury box and expecting a verdict for the plaintiff.

Then again, it was confidently expected that Judge Nathan L. Miller, Judge Frank H. Hiscock, and Judge Emory Chase, three Republican Judges of the Supreme Court, who were sitting as members of the Court of Appeals only by designation, would refrain from voting, as they were not according to the Constitution, members of the Court of Appeals. They were Supreme Court Judges, and had no right to participate in the judgment, and were no more constitutional members of the Court than if they were ordinary citizens.

Of course, these men should not have voted. And we must not forget that if any two of these eleven Judges and Senators had not voted the Governor would have been acquitted. The fact that these members did vote to remove the Governor, vitiates the judgment and the removal. It is confidently expected that if the matter can ever be brought to the attention of the United States Supreme Court, that high tribunal of justice will take this view of the case, and declare the whole conspiracy void from beginning to end.

Governor Sulzer was convicted on Articles 1, 2 and 4. In regard to these Articles, Chief Judge Edgar M. Cullen, of the Court of Appeals, who presided at the trial, said as follows:

"Never before the present case has it been attempted to impeach a public officer for acts committed when he was not an officer of the State. No suggestion to that effect can be found in any opinion of Courts of Impeachment, in

the arguments of counsel at such trials, or in the text writers. In several cases where it has been sought to remove an officer for such acts, the right has been expressly denied."

Chief Judge Edgar M. Cullen voted to acquit Mr. Sulzer on every one of the articles, and certainly no one can question the integrity, the learning, or the legal ability of the Chief Judge of the Court of Appeals. His opinion will stand as the judgment of posterity, and will be the conclusive proof that Mr. Sulzer was removed from office by a political conspiracy of the Bosses and the Special Interests.

Chief Judge Cullen further said concerning these Articles:

"The first article and the second article of impeachment are intimately connected, and I shall treat them together. As to filing a false certificate, it is my opinion, as a matter of law, that the Corrupt Practices Act, now a part of the Election Law, did not require Mr. Sulzer to state the amounts and the sources of his election contributions, and in failing to do so he committed no offense.

"I also find, as a matter of law, that the oath to the statement was extra-judicial, so far as it relates to his receipts. The election law does not require a verified statement, and the penal code does not require that that statement shall contain the receipts of the party making the statement. I am therefore plainly of the opinion that the oath was extra-judicial. That is elementary law, and Mr. Sulzer was not guilty of the offense charged.

"However, I am clearly of the opinion that a public officer cannot be impeached for acts committed when he was not an officer of the State. This is a question not of power but of right. Doubtless, if the Assembly impeaches and the Court convicts and removes from office, that judgment cannot be attacked no matter what the reason assigned for the removal may be, but the question will ever remain: *Was the judgment right?*"

When the time came to vote on Article 4, Chief Judge Cullen said in a firm voice, and in the most emphatic manner.

"There is no evidence of any deceit or fraud, and to construe what is alleged to have passed between the Governor and Peck as a threat to remove the latter is to substitute suspicion for proof, and the vagaries of the imagination for evidence. There was nothing in the article proposed by the Assembly regarding this Peck matter. No one should be tried for one offense and convicted of another. Far better the Assembly should present new articles than the precedent should be set for what seems a violation of the ordinary principles of justice. Forms are often necessary to observe to protect the substance that lies behind them. Where they are not observed, in substantial matters, law degenerates to oppression on the one hand and to anarchy on the other."

No impartial student can read the elaborate decision of Chief Judge Cullen in favor of the innocence of Governor Sulzer without being convinced of the sound-

ness of the law and the facts as stated by that venerable jurist, and the injustice of the conviction.

Judge Cullen's decision in the case will stand, for all time, as the judgment of every decent, honest, law-abiding citizen of the State, and will be the verdict of posterity, of future jurists, of law writers, and of the historians.

## CHAPTER LXIII.

## QUACK JUSTICE IN ALBANY

(*Editorial from the Boston Transcript, September 22, 1913.*)

The sympathy for Governor Sulzer, which is widespread among the people of his State, is likely to be greatly strengthened by the manner of the impeachment proceedings. The counsel for the defense challenged the right of certain members of the Senate to sit in the court. Three of them were members of a committee that had recommended the prosecution of the Governor, and the others would be personally or financially benefited by his removal from office. Judge Cullen—ruled that only upon the application of these men to be excused from service would they be excluded from participation.

In spite of this fact, it none the less follows that not since the days of King John has there been a greater travesty of justice than is presented by the composition of this court. The facts in the case are so patent that should its findings be adverse, as is probable, they will violate the fundamental principles of justice. Judge Parker, counsel for the prosecution, said that the members of the court were there as representatives of the whole people. His face wore a look of solemnity as he said it, to which he had probably schooled himself when acting in the judicial capacity.

Of course it is notorious that the court as constituted, at least the political end of it, is not acting upon a mandate from the people, but in accordance with

orders of the vulgar despot who directs the movement of his satellites from Tammany Hall. Whatever the guilt or innocence of the Governor may be, he is in the hands of men a majority of whom are determined upon his undoing, the men whose eligibility was questioned being particularly in that position. The Governor is deprived of a right which is accorded the meanest criminal in a jury trial.

The entire principle of fairness is vitiated. Impartiality is a fundamental consideration, and the opening for this condition of things has proved a means for a miscarriage of justice.

It is surprising that this aspect of the situation has not made a deeper impression upon the press of New York. It seems to us the most vital feature of these important proceedings. We can imagine nothing that is more calculated to shock the sense of fair play, nothing more repugnant to the long established standards of justice than that those who have formulated the charges should also be made the judges of the law and the facts.

The great State of New York cannot escape the disgrace of withholding from the man, who is her chief citizen, the right which her meanest citizen may demand and compel. What a shame!

## CHAPTER LXIV.

GOVERNOR SULZER SAYS HIS REMOVAL  
WAS A POLITICAL LYNCHING.

At the "People's House" Governor Sulzer had been expecting to hear that the Murphy court had voted to remove him from office. He refused to attend the trial.

Chester C. Platt, his private secretary, was the first to notify the Governor of the action of the court. Mr. Sulzer was the coolest and the calmest man in Albany. He did not show any emotion but merely heard what Mr. Platt had to say and continued to walk up and down the room with his hands clasped behind his back.

A few minutes later the Governor, by appointment, met the newspaper correspondents to whom he said:

"By virtue of a power beyond the present control of our electorate, I now hand back to the people the commission they gave me, and I hand it back to them untarnished and unsullied."

Referring to the last statement he had made in which he expressed the hope that he would have a fair trial, Mr. Sulzer said:

"When I gave out that statement I did not think Senator Wagner, Senator Frawley, Senator Ramsperger, Senator Sanner, Senator Brown, Senator Blauvelt, and Senator Thompson would act as my jurors and judges, as they were either interested financially in the outcome of my trial, or had acted as my prosecutors, and condemned me before trial, or on account of personal grievances had expressed an opinion as to my guilt. The impropriety of these Senators voting for my removal

must be apparent, and vitiates the judgment, because had they, or any two of them, refused to vote—as a sense of decency should have induced them to do—I would not have been convicted on any one of the articles of impeachment.

*“My trial, from beginning to end, so far as the Tammanyized part of the court is concerned—was a farce; a political lynching; the consummation of a deep-laid conspiracy to oust me from office. I am glad it is all over. I am tired of being calumniated; tired of being hunted and hounded; tired of trying to do my duty and being traduced.*

“The court ruled in everything against me, and ruled out everything in my favor. The well-settled rules of evidence were thrown to the winds. A horse thief, in frontier days, would have received a squarer deal.

“Mr. Murphy controlled the Assembly, and ordered the impeachment. The Bosses, and the special interests, controlled most of the members of the court, and dictated its procedure, and wrote the judgment.

“The meetings of the court were in secret, and behind closed doors. It was a star-chamber proceeding, where the enemies of the State could work for my conviction undiscovered.

“They called it the high court of impeachment, but history will call it ‘Murphy’s High Court of Infamy.’ The trial was a human shambles; a libel on law; a flagrant abuse of constitutional rights; a disgrace to civilization; and the verdict overturned the safeguards of liberty, and the precedents of three centuries. The judgment will not stand the test of time. The future historian will do me justice. The people will reverse the findings of the Murphy court.”

Mr. Sulzer said he had been anxious to take the witness stand in his own behalf to prove Peck a liar; to explain what Morgenthau had said; and to deny the absurd story told by Allan Ryan; but that he had been ad-

vised not to do so, because under the rulings of the court excluding the testimony of John A. Hennessy and other witnesses in his behalf it was clear that his own story on the stand would also be ruled out as inadmissible.

Mr. Sulzer said he was heavily in debt, and speaking of the charges that he had used his candidacy for Governor to make money said:

"Had I wanted to make money out of my campaign for Governor, I certainly would not have rejected, as I did, offers of donations from several citizens of upwards of \$100,000—and borrowed more than forty thousand dollars which I did from Reilly, Meany, and several others. The court ruled out all testimony concerning sums of money offered to me by Judge Beardsley and others, and which I declined, at the time, to accept, for good and sufficient reasons.

"I want to thank Judge Cullen and the members of the court who voted for my vindication; the lawyers who gave me wise counsel, and the friends of good government throughout the State whose belief in my honesty, and whose faith in the rectitude of my intentions have never wavered.

*"In conclusion I want to say that among the things that caused my removal were my fight for direct primaries, the graft investigations, and my signing the full crew and the Stock Exchange bills, which gave me the enmity of the great railroad corporations and the special interests. I am the victim of the Invisible Government—not the first—nor will I be the last."*

## CHAPTER LXV.

## SULZER NOMINATED AND ELECTED TO ASSEMBLY.

Tuesday night, October 21, 1913, will long live in the memory of those who were at the Grand Central station when William Sulzer and wife arrived from Albany. More than one hundred thousand people were there to welcome the man who had been cast out of office by the orders of Tammany Hall. It was a mad scene of waving hats and hands—it was an ovation which few men have ever received.

It was a triumphal procession from the station down through the East Side of New York to the Broadway Central Hotel. Napoleon, the conquering hero on his return to Paris, was never accorded a more popular demonstration. New York has never seen its like. A continuous ovation befitting a monarch was tendered to the man who but a few hours before had been removed from the office of Governor of the Empire State.

The man who had been cast out had come back and the people, irrespective of party, were ready to vindicate their fitness for self-government by showing to the world their resentment against boss-rule. From the moment William Sulzer arrived in New York City, there was no doubt about what the people would do to Tammany on Election Day.

Headquarters were opened at the Broadway Central Hotel and the active work of the campaign was started. Men flocked there to offer their services. From all over the country came men to speak for Sulzer and

DOOMED!



From the Albany Knickerbocker Press

THE SHAME OF THE EMPIRE STATE.

against Tammany. From every State in the Union letters poured in wishing him God speed.

One night the writer, in company with others, followed William Sulzer. As the Sulzer automobile swung into Avenue C, thousands upon thousands, and then more thousands, fell in behind the machine. It was all the police could do to keep the crowds back to let the machine creep along. The cry, "We want Sulzer! We want Sulzer! Sulzer! Sulzer! We want Sulzer!" became louder and louder as thousands upon thousands took up the cry. "Roll thunder, roll. Ware, Chief! Ware!" that cry was the doom of Tammany Hall. It spelled the political death of every man who had participated in Murphy's court of infamy.

The inspector of police, who was standing on the running board of the machine, putting his hand on the shoulder of the writer, said, "My God, turn around and look at that crowd!" As far as the eye could see from house to house the street was jammed with a living mass of humanity. Never to my dying day shall I forget that noise and that sea of humanity. It was as if the submerged growl of the entire beastly world was let loose at once. The man does not live who can take pen in hand and describe that crowd. It seemed to come from the throats of thousands who had from centuries of oppression recourse only to the snarl of the lion in captivity.

Bosses may come and bosses may go, but the liberty of this republic will never perish with the consent of the men who cheered and followed Sulzer.

The first meeting that night was held in Hennington Hall. Upon arriving at the hall it was a case of fight your way in, surrounded by policemen to hold back the crowds. The scene at this hall was the same as at all other meetings. If there were any chairs or seats you could not see them. If there was an aisle you would not know it. It there was a law against over-capacity

it could not be enforced. As you looked from the stage all you could see was a packed, jammed humanity, you might wonder at how you got into the hall, but your heart would almost stop beating when you thought how you were going to get out.

We left Sulzer on the outside to make a speech while we went inside. How Sulzer was to get into that hall was the question that was running through my mind. Could it be done? While thinking along this line of a sudden a yell goes up, "Here comes Sulzer," and over the sea of heads could be seen policemen pushing their way through that mass of humanity. On they came pushing, crowding clearing foot room for Sulzer. In course of time they reached the platform and as Sulzer stood up, in the language of the West, "Hell broke loose for twenty minutes." The *ki yi* of the West has nothing on the hurrah of New York for a popular idol.

Presently you could hear a pin drop as the long arms of Sulzer waved for silence. William Sulzer, the veteran of many campaigns, is again speaking in a voice that rings as clear as a bell, and as cold as steel. He is not on the defensive. He is the aggressor. Now he is speaking to his people and they listen.

Mr. Sulzer's speech in that hall that night was stenographically reported by my stenographer. Here it is transcribed in cold words, without the interruptions, and the deafening applause that followed every period.

## CHAPTER LXVI.

MR. SULZER'S GREAT SPEECH IN HENNINGTON HALL, NEW YORK CITY, OCTOBER 26, 1913.

(*Stenographically reported.*)

Mr. Sulzer said:

"In view of the request in writing from more than half of the registered voters in the Sixth Assembly District, regardless of party affiliations, asking me to accept the nomination for Member of Assembly, to further the cause of honest government, I have consented to take the nomination, and I am going back to Albany, for the good that I can do.

"Of course, I appreciate the confidence in me of my old constituents, and no words of mine can tell them how grateful I am for their unwavering loyalty.

"I am a non-partisan candidate, having no axe to grind, and no purpose to serve, other than to do what I can for the cause of good government, the struggle for which at Albany, brought about my removal from the Governorship by an arrogant Boss whose dictates to do wrong I defied.

"I shall go back to the Legislature, as the representative of the plain people, to aid the cause that lacks assistance; to fight the wrongs that need resistance; for the future in the distance, and the good that I can do.

## MURPHY'S HIGH COURT

"The people know that I was removed from the Governorship because Mr. Murphy controlled the Assembly, and ordered my impeachment when he found out I would not be a rubber stamp. He controlled most of the mem-

bers of The High Court of Infamy; dictated its procedure, and wrote the judgment. *Murphy was the Judge and the Jury, the Prosecutor and the Bailiff.*

"They called it the High Court of Impeachment, but history will call it Murphy's High Court of Infamy. The trial was a human shambles; a libel on law; a flagrant abuse of constitutional rights; a disgrace to civilization; and the verdict overturned the safeguards of liberty, and the precedents of three centuries.

"The Judgment will not stand the test of time. The future historian will do me justice.

#### THE COURT OF PUBLIC OPINION.

"There is a higher Court than Murphy's—the Court of Public Opinion. I appeal from Murphy's Court of Political Passion to the calmer judgment of posterity, and the sober reflection of Public Opinion.

"When I refused to obey the orders of the Boss to stop the investigations of Blake and Hennessy, and to clog the wheels of the machinery of justice, which I set in motion to prevent the further looting of the State, Mr. Murphy threatened me with removal from office.

"From that day to this, all that money, all that power, all that influence can do to destroy me has been done.

"However, I shall keep up the struggle for honest government; I am in the fight to stay to the end; and the forces of righteousness will prevail over the forces of iniquity. No man can destroy me but Wm. Sulzer.

"The record will show that no man, in all the history of this country, has suffered more than I have for the cause of honest government. But I am content. Justice will triumph.

#### MURPHY GOT THE MONEY.

"Now, another thing. The "Chief" and his wax fig-

ures in the Murphy High Court said that my campaign statement last year was erroneous. It was testified on the trial, and not contradicted, that I did not make up that statement; that I did not read it; that I asked if it was correct; that I was told it was as correct as it could be made; and that then I signed it. That is all I had to do with it, and I have not seen the statement from that day to this.

*The evidence on my trial showed that about \$27,000 was donated to me while I was a candidate for Governor; of this sum \$10,000 went to Murphy; \$5,000 to Delaney; and the balance to my Campaign Committee. I did not make a dollar as a candidate for office. That is the truth; and that is all there is to it. Instead of making money, the record shows I borrowed money and ran in debt, and besides I refused to accept money from contractors, corporations, or the Special Interests.*

"Mr. Murphy knew more about my campaign affairs than I did, because the men he had planted in my office from the time I was nominated until I went to Albany knew everything that was going on and kept Mr. Murphy advised.

"They say Mr. Murphy took a leading part in making up the statement last fall of the Democratic State Committee. I want to ask him if the statement of the Democratic State Committee is correct? He knows all about it. Let him tell about the money the "bagmen" collected, and what was done with it.

#### MURPHY OFFERED TO DESTROY CAMPAIGN STATEMENT.

"Mr. Murphy threatened me about my campaign statement, and intimated that it would disappear from the files of the Secretary of State, if I would take 'orders.' Of course, I refused to be a party to such an iniquity. Knowing what I do I hope the campaign statement of the Democratic State Committee will not disappear from

the files of the Secretary of State. They say Mr. Murphy put the names of a lot of dummies in that statement as contributors who never contributed a dollar. How about that, Mr. Murphy?

### THE MURPHY FARCE.

"How preposterous it is for Murphy to remove me from the Governorship because the men the Boss had around me made up an erroneous statement of my campaign funds, while the statement he and his lieutenants made up for the Democratic State Committee is ten times more incorrect. What a farce it all is! Does Boss Murphy expect to get away with it? Does the Boss think the people have lost their senses, and will vote for the Murphy's ticket when Murphy removed from office the Governor the people elected?

### REMOVED FROM OFFICE BECAUSE HE WOULD NOT DO WRONG.

"The people know that my removal from office by Mr. Murphy was because I would not be a "proxy" Governor; because I would not be dishonest; because I insisted on stopping graft; because I stood by the taxpayers; because I would not do wrong; because I would not do what Mr. Murphy wanted me to do; because I would not be a Murphy tool; because I refused to be a party to the looting of the State.

"The voters will answer Mr. Murphy on Election Day. They will tell the Boss what they think of him. The best way the voters can express their indignation about my removal from office, and their desire for honesty in city and State affairs is to vote against the Tammany ticket. That is the way to beat the 'Chief.'

## MURPHYISM MUST GO.

"Murphyism must go or our free institutions are doomed. No man, and no official, can serve Murphy and the People; the 'Chief' and the City; if he is true to Murphy, he must be false to Duty; he cannot be loyal to one without betraying the other.

"The way to beat the 'Boss' is to beat the ticket of the 'Boss.' The Murphy ticket should be defeated in the interest of good government, and for the general welfare. Murphyism must go! It is a disgrace to the State.

## THE BRADY \$25,000.

"Mr. Murphy has taken several days to answer my charges about the Anthony N. Brady \$25,000, which I refused, and which Murphy took, and never accounted for.

"Mr. Murphy calls on a dead man to prove that he returned the money. He says he gave it back to Brady, but Brady is dead and he can't corroborate Murphy. Was anybody with them when the money was paid back?

## THE CHIEF GOT RYAN'S MONEY, TOO.

"Let Murphy make his affidavit, too, that he did not get the \$10,000 Allan Ryan sent to me during the campaign. If he did not get the Ryan \$10,000, who did? Has Murphy's bagman been robbing him? But I know that Murphy received Allan Ryan's \$10,000 because he told me so. It is now too late to lie about it.

## MURPHY DEALS IN JOBS.

*"Do not forget that Murphy spent \$300,000 of your money—the taxpayers money—to frame up a case on me, and oust me from office. How much more money Wall Street, the railroads, and the Special Interests put up to help Murphy, I know not; but they say it was not less*

than a million. Who got the money? Some day the truth will come out. Who got this boodle? That is the question. Murphy is in politics for all there is in it. He is a dealer in jobs and contracts, and not in the game for his health. They say he is worth \$15,000,000. WHERE DID HE GET IT?

A VOICE: "You didn't get a square deal."

Mr. Sulzer: "No, I did not have a 'Chinaman's chance' in Murphy's Court. Everybody knows that my trial, from beginning to end, was a farce—a political lynching—the consummation of a deep-laid conspiracy. The Murphy Court ruled in everything against me, and ruled out everything in my favor. The rules of evidence were thrown to the winds. A horsethief, in frontier days, would have received a squarer deal. In my removal from the Governorship, by Boss Murphy, the State witnessed the most monstrous perversion of government in all its history.

#### THE IMPEACHMENT FARCE

"Mr. Murphy, and the Special Interests, which I antagonized, have won a temporary victory; but the fight, for honest government will go on. The farce of my trial will have a good effect in the end. It has opened the eyes of the people to the graft of millions of dollars annually, and it will hasten the adoption of the initiative and the referendum; bring about the recall of public officials, including judges and judicial decisions; and write upon the statute books other reforms, especially a direct primary law, so that the *voters*, instead of the bosses, will nominate, as well as elect, all officials to public office. The people now know that the power to nominate public officials is the power to control these public officials; and that we cannot have honest government in the State of New York until the voters nominate and control all public officials.

## WAS AN HONEST GOVERNOR.

"As the Governor I have been honest in all things, and faithful to my trust. No influence could control me in the performance of my duty but the dictates of my conscience. *I have lost my office, but I have kept my self-respect.* I would rather lose the Governorship than lose my soul; *I would rather be right than be Governor;* and no Governor can serve God and Mammon; the State and the Special Interests; the PEOPLE and the Boss; the visible and the invisible government.

"Let us indulge the hope that my loss of the Governorship will be the people's gain. Misfortunes are often blessings in disguise. If my undoing by an ignorant and an arrogant and a *corrupt* and a *desperate* 'Boss' shall be the humble means of forever destroying 'Bossism' in the State of New York, I shall be content, and feel that I have not struggled in vain for better things.

## MURPHY IS GETTING RATTLED

"Mr Murphy is rattled; he knows his ticket is beaten; his statement in reply to my charges is to laugh. Mr. Murphy wants us to believe that he was turning away money. That will make the braves chuckle. I have asked Mr. Murphy to tell us where he got his fortune. *He dare not answer.* How do you suppose he grew rich if he returned money that came his way? But everybody believes the 'Chief' got the Brady and Ryan money. *I know it.*

"You can rob the people for years; you can fool the people for years; you can outrage the people for years; but when the people find out how they have been plundered; how they have been fooled; how they have been outraged, their wrath is terrible.

"Murphy, drunk with power, and blind with hate, has engineered his own undoing. Murphy will be the

worst beaten Boss, on Election Day, in the annals of American politics, and his defeat will sound the doom of Tammany—a consummation devoutly to be wished.

### FOUGHT A GOOD FIGHT.

"I have fought a good fight, against tremendous odds, for honest government; *I have kept the faith*; I have been true to my ideals, and to my official oath; I have stood by the PEOPLE; I have dared to defy the 'orders' of Boss Murphy; and I did it in the face of threats of personal destruction. *HAD I BUT SERVED THE BOSS WITH HALF THE ZEAL I DID THE STATE THERE WOULD HAVE BEEN NO IMPEACHMENT OF WILLIAM SULZER.*

### HAS NO REGRETS.

"Looking back over it all, I am frank to say that I have no regrets, as my conscience is clear, and tells me truly that I have done no wrong—but my whole duty—fearlessly and honestly—day in and day out—to all the people of the State—as God gave me the light to see the right.

### TAMMANY A BLOT

"*Tammany, under Murphyism, is treason to the Government; Tammany, under Murphyism, is not a political organization—it is a criminal conspiracy to loot the city and the State; a stumbling block to Democracy and to Progress; a big black blot on the fair escutcheon of the Empire State; and a threatening menace to civic righteousness, and our free institutions.*"

When Sulzer finished, the roars for twenty minutes shook the building. Men acted as mad. They struggled to shake his hand, or touch the hem of his garment. And so it was from hall to hall, from park to square, it was all the same, five and six meetings a night.

There was gloom in Tammany Hall. Dark, thick gloom. Defeat stared the chief in the face. By impeaching a Governor elected by the people, he was about to lose an empire—the richest in the world.

Tammany Hall was set going upon its mission hellward by Boss Murphy when he impeached the Governor. It was a political mistake to impeach Sulzer. The friends of Sulzer impeached Tammany, because they wanted to demonstrate to the chief and all bosses who place their will above that of the people that they, the people of this, the Empire State, are fit for self-government.

Tammany may plan and scheme. Election Day approaches slow but sure. The people's court will render judgment. That is the court which does not obey the edict of Delmonico's.

The newspapers on that August morning, when the Assembly over the telephone had carried out the edict of the Chief, reported Charles F. Murphy as smiling. There was no smile last election night. The time had come when the smile disappeared.

Mitchell carried the City of Greater New York by 121,000. Who did it? WM. SULZER—THAT'S ALL.

## CHAPTER LXVII.

COLONEL THEODORE ROOSEVELT'S  
LETTER TO GOVERNOR WM. SULZER.

THE OUTLOOK,  
287 FOURTH AVENUE,  
NEW YORK.

OFFICE OF THEODORE ROOSEVELT,  
SEPTEMBER 2, 1913.

MY DEAR GOVERNOR SULZER:—

Upon my return from Arizona I have received your two letters. I thank you for them. I believe I thoroughly understand the assault that is now being made upon you. I have yet to meet a single person who believes, or even pretends to believe, that a single honest motive has animated the proceedings of your antagonists. From Mr. Murphy himself to the Legislators who obey his directions, there is no possible question that all of your assailants are the enemies of the public, and that their aim is to acquire the evil domination of the State Government, and that the conspiracy against you has not one saving impulse behind it that can in the remotest degree be ascribed to patriotism or civic spirit or anything save the basest impulse of crooked politics. We have never seen a more startling example of the power of the invisible government under the present system. The extraordinary thing is that the "conservative" upholders of this present system should have witnessed the decrees of the invisible government carried out within twenty-four hours, and nevertheless denounce as revolutionary our proposal for changes in the form of government whereby the deliberate judgment of the majority of the voters may be executed within a space of time no shorter than that required for the execution

of their deliberate judgment in the choice of a President of the United States.

Let me add one thing, my dear Governor. You owe it to yourself and to all those who have supported you to take the earliest opportunity to answer the charges made against you. That the purposes of those bringing the charges are wholly evil I am sure that all honest men feel. Moreover, I am sure that honest men feel that the assault made upon you by your foes is due to your having stood up for the principles of good government and decent citizenship even when it was necessary to defy the will of the bosses of the two parties, and especially of your own, and to stand in the way of the success of the corrupt schemes of the party machines' managers. But there is also among honest men a desire for a full and straightforward explanation and answer in reference to the charges made against you, and I very earnestly hope that as soon as possible the explanation and answer will be made.

With all good wishes and regards to Mrs. Sulzer.

Sincerely yours,

THEODORE ROOSEVELT.

To the Hon. WILLIAM SULZER.

#### THE ANSWER OF GOVERNOR SULZER TO THE LETTER OF COLONEL ROOSEVELT.

This letter was sent to Col. Roosevelt, who desired at the time to give it to the newspapers, but the Governor's lawyers deemed it inadvisable. It is now published for the first time.

EXECUTIVE CHAMBER.

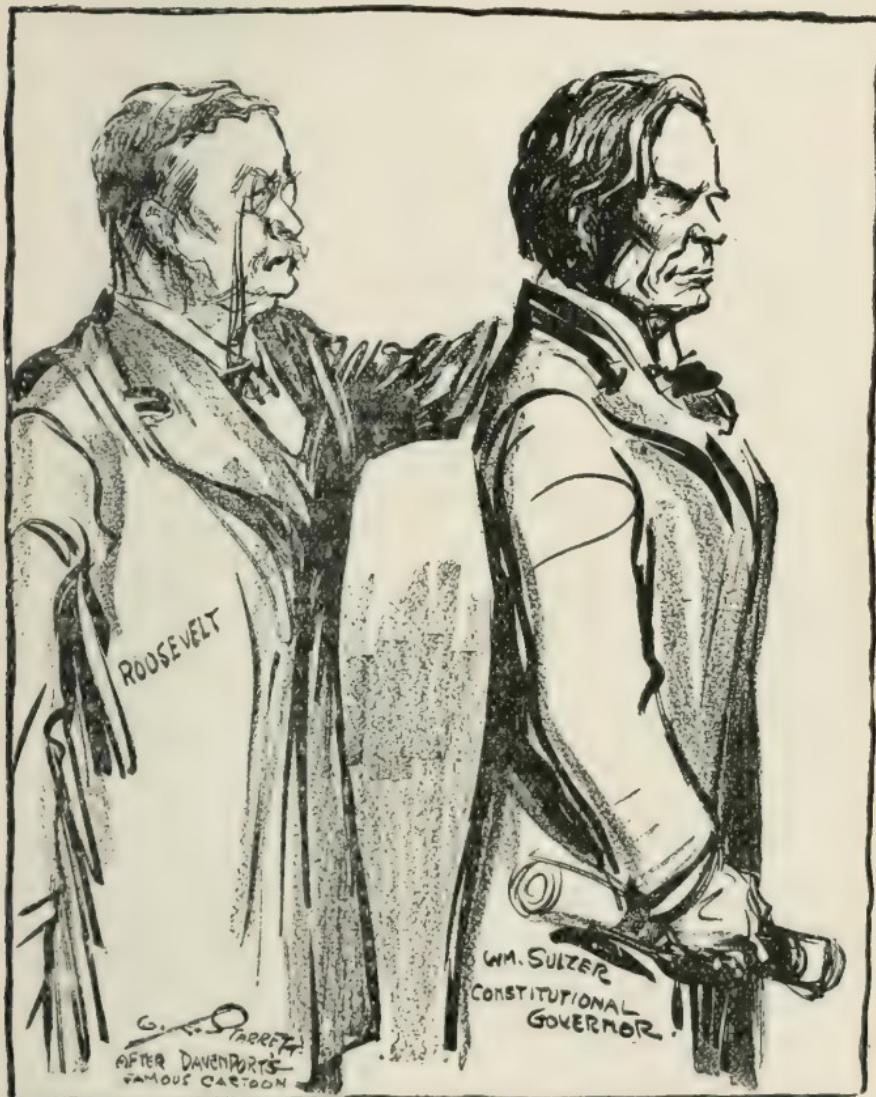
ALBANY, N. Y.

SEPTEMBER 9, 1913.

COL. THEODORE ROOSEVELT,

MY DEAR COLONEL:—In your letter of the second instant, in which you were good enough to express sym-

A REAL ENDORSEMENT



"HE'S GOOD ENOUGH FOR ME"



pathy for me against the attacks on me by Mr. Murphy and his agents—the real enemies, as you say, of the public—you told me that I owed it to myself, and to those who have supported me, to take the earliest opportunity to answer the charges.

You urged that while all honest men feel that the assaults upon me by Mr. Murphy are due to my having stood up for the principles of honest government and decent citizenship, yet there is among honest men a desire for a straightforward explanation of the charges made against me; and you earnestly hope, you say, that as soon as possible the explanation will be made.

You are quite right, Colonel. My impulse from the first was to make a reply in detail to the charges of Mr. Murphy and his agents.

That I have not done as you, and some of my other friends, advise is because my counsel exacted a promise from me to make no statement of my defense beyond the emphatic denial, of all the charges, which I issued on August 11th last. This pledge I made, and have thus far kept.

If I can now be released from this obligation of silence, in the belief, which I share with you, that I ought to take the people of the State into my confidence about the essentials of my defense, then I ask you to make such use of this letter as you deem wise. By doing this, I may forfeit some tactical advantage in the trial of the case; but that consideration must yield to my earnest desire to give you, and the people, a full and complete explanation.

Besides the purpose of my enemies, as I am informed, to prolong the impeachment trial until after election resolves me to tell the main facts with which the people are concerned, keeping back nothing that they have a right to know.

Before saying anything else I want to tell you this—

and I cannot find words to say it with force enough—and that is, that I want all the truth known regarding every act of which I stand charged by Mr. Murphy, and the agents of his corrupt political system, who have brought me before the Court of Impeachment not for wrongs done by me, but for wrongs I refused to do at Mr. Murphy's dictation.

As many know, I am on trial not for what I did before I took my oath as Governor, but for what I did, or refused to do, since I went into that office.

I am to be removed from office, if Mr. Murphy can succeed, because I refused to violate my official oath and carry out the "orders" of Mr. Murphy. That is the gist of the matter, and the truth about this trial to take away my office.

If I had served Mr. Murphy instead of serving the State; if I had obeyed Mr. Murphy instead of the dictates of my conscience, Mr. Murphy never would have instituted this impeachment.

Nominally I am accused of having made a false statement of moneys received in my campaign for the Governorship, and diverting some of these moneys to private use.

As to the first of these charges, I want to say that upon my return from the Syracuse convention some of my friends formed a campaign committee to look after the personal details of my political affairs. I was so busy with matters of greater moment at the time, and, furthermore, I was away from New York City so much, that I could not give personal attention to the correspondence, or to the thousand and one details, incident to an exciting State campaign.

Former Governor A. E. Spriggs, of Montana, now a resident of New York City, was made Chairman, and Louis A. Sarecky was the Treasurer of that campaign committee. Upon this committee devolved much of the detail work. I turned over to this committee, or to Mr.

Murphy and his agents, the contributions for campaign purposes, and they looked after the disbursing of the same. I was very busy and gave these matters little heed.

After election the usual formal statement, on a printed blank, was mailed to the office, to be filled in and filed with the Secretary of State in accordance with the law. Then it was discovered that, through some oversight, the committee had failed to file a notice of its formation with the Secretary of State. The question was consequently raised whether, in view of such omission, the filing of the statement by the committee would be construed as a sufficient compliance with law.

In order to avoid legal complications, I was advised that inasmuch as the law would be complied with if I filed the statement, that I should sign it. The statement was prepared by Mr. Sarecky and others. I asked if it were correct; and being told that it was as accurate as it could be made, without reading it, or going into an examination of the items, I signed it. No doubt I was careless in doing so. Looking back now I realize that I should have gone over the statement carefully. But I did not do that. If I made a mistake, it was due to haste and carelessness. Certainly it was not done wilfully, or with intent to deceive.

But this is not the only explanation of the failure to itemize certain moneys which were received in the campaign. Some of the moneys were not for campaign purposes at all, but were loans. They were given to me by friends who knew I was heavily in debt, and who loaned me the money to pay my debts or to use as I saw fit. These friends wanted nothing, and in case of my election I knew there was nothing they would ask me to do, or that I could do for them. Politics had nothing to do with the matter.

All the moneys given to me, or sent to me for the campaign, were turned over to the committee, to which

reference has been made, or were subsequently given to Mr. Murphy. Whether the latter turned these moneys over to the State Committee or not I cannot say, but an investigation of the report filed by that committee negatives the assumption.

Let me be frank and say to you that the Frawley Committee, acting, no doubt, under instructions from Mr. Murphy, deliberately declined to disclose, in its investigations, certain moneys given to me during the campaign which I promptly turned over to Mr. Murphy. Is it fair to assume the latter did not want this known to the public? However, I want it all to come out.

When I became a candidate for Governor I was much in debt—through no fault of my extravagance—for I have always lived moderately, but because for several years I had been borrowing money to invest in mining enterprises which had been presented to me by friends in the most glowing terms, but which, unfortunately, have not turned out so well as we anticipated.

After I was nominated I wanted to pay off some of these debts, and I borrowed from friends large sums of money to do so. The truth of these matters will come out at the trial.

In regard to the assertion that I gambled in Wall Street with money intended for my campaign, I want to say the assertion is false. It is false because my accusers do not differentiate between moneys contributed for political purposes and moneys which were loaned to me for my own use, unconditionally, by personal friends. When the difference is clearly understood, those who have been puzzled by the framed-up case, and perverted charges, of Mr. Murphy will see that there were moneys loaned to me that I had the right to use for any legitimate purpose I saw fit.

There was nothing wrong in the purchase of the few hundred shares of stock about which so much fuss has been made. I assume all responsibility. There is noth-

ing to hide. No stock, as alleged, was bought on margin. No campaign funds, as such, were used, save the few checks to which reference is made in the report of the Frawley Committee, the amounts of which were subsequently paid over by me to Mr. Sarecky, or to John H. Delaney, or to Charles F. Murphy.

This stock matter was an investment, and an open and above-board transaction. If secrecy had been desired—and certainly it would have been resorted to if there was anything wrong—is it reasonable to suppose that checks bearing my name would have been used? The transaction was shrouded in no secrecy. If dishonesty were intended, the tracks would have been covered better than that.

Just a few words relative to the account with Harris & Fuller: That was a loan account, having its inception years ago. The money that firm received was paid to reduce the loan by funds I borrowed, and the campaign had no more to do with it than the man in the moon. The men from whom I borrowed the moneys will testify to the facts.

The stock pledged with Harris & Fuller did not belong to me. I borrowed the stock and placed it with that firm as collateral for loans to help mining enterprises in which I had been induced to invest. These loans from Harris & Fuller were made, as the account shows, long before I became a candidate for Governor. Testimony will be offered about these matters to prove the truth of these assertions.

The fact is, I was more in debt after the election than I was before I became a candidate for Governor. The reason I borrowed the moneys to which reference has been made was to pay Harris & Fuller—to whom I owed for loans a large sum of money—cancel this obligation, and return to the rightful owner the stock I had pledged to secure the loans. The reason I did not do as I intended was because of information that the stock,

about which so much noise has been made, was soon to pay dividends; going up to par; and the profit that could quickly be made, in a legitimate transaction, would go far to aid in reducing my debts.

However, I do not wish to tire you with a more detailed narrative of each circumstance connected with these stock matters, which have been so wilfully misrepresented, so viciously exaggerated, and so vehemently denounced by my enemies. When the truth is known it will appear that they were honest, above-board, and straight in every particular.

In the main, Colonel, I have given you the salient points. If there is anything you are in doubt about, I hope you will question me. As a friend you have the right to ask, and I shall tell you the truth. Be sure that I have no fear, and will promptly answer all your questions. I pledge myself to meet any inquiry that may suggest itself to your mind. I have nothing to dread but the suppression of the truth, or the deliberate distortion of the facts.

If I had wished to make money out of my campaign, I could readily have done so by various hooks and crooks permitted under the law. My information is that Mr. Murphy, and his agents, collected a great deal of money for my campaign, and that they did not spend anything like the sum they received. If I had wished to do so, I could have had upward of \$100,000 in moneys which were offered to me, and which I refused to accept.

Let me tell you that large sums of money were offered to me during the campaign, which I refused because I believed there was indirectly an implied obligation to give some return, if I became Governor, in the way of appointments, legislation, or immunity from law. I refused to take money from contractors or corporations. Some of the moneys that I rejected were subsequently accepted by Mr. Murphy, and never accounted for.

So far as I am concerned, I welcome an impartial

investigation of all moneys received and expended by me, by Mr. Murphy, and the Democratic State Committee in the last campaign. I am willing to tell what I know, and I know a few things that will make mighty interesting reading.

Just an incident here will give you an idea of what I mean: Between the holidays last year I met Mr. Murphy, by agreement, at Delmonico's. We were alone in his private room. Mr. Murphy wanted to be confidential. He said he desired to be my friend; that he knew about my financial condition; that he wanted to help me out. He offered me money to pay my debts, and enough besides to take things easy when I got to Albany. He said it was really a party matter; that I had been a popular candidate; easily elected, and for less money than any other candidate in his recollection. He said nobody would know anything about it; that I should pay what I owed, and go to Albany feeling easy financially.

Mr. Murphy's offer did not appeal to my judgment of right and wrong. I told him I was paying off my debts gradually; that my creditors were friends; that they would not press me; that I was economical; and that I had no doubt I would be able to get along. He pressed me to accept the offer, and said it was for the good of the party; that the "organization" did not want me to be hampered financially; and that he would allow me, in addition to my salary, \$1,000 a month for living expenses. He said the salary of Governor was not enough to pay his expenses; that the "organization" did not want me to run into debt, or to want for anything, while I was Governor.

Of course, I rejected Mr. Murphy's proposition, and told him that when I became Governor I would be able to get along on the salary; that I did not want to be under obligations to any one; and that I had no doubt I could manage matters.

Mr. Murphy finally said: "If you need money at

any time, let me know, and you can have what you want. I cleaned up a lot of money in your campaign. I can afford to let you have what you want.'

Yes, Colonel Roosevelt, this Mr. Murphy who made this proposition to me is the same Mr. Murphy who ordered his Assembly to impeach me, and now brings me to trial because he says my campaign statement is inaccurate. You can readily guess that it was not so much the things I did, or omitted to do, while a candidate for Governor, as the things I did, or refused to do, since my inauguration, that have shocked Mr. Murphy's financial sensibilities. The taxpayers should know that when Mr. Murphy found out that I was determined to protect their pockets, from the grafters, Mr. Murphy, and his tools, decided to get rid of me by throwing me out of office.

Let me briefly refer to a few facts to support my assertion as to the motives behind this attempt to remove me from the Governorship.

Early in September, 1912, I met Mr. Murphy by appointment in Delmonico's. We discussed the approaching Democratic State Convention. He told me that Mr. Dix had made a pretty good "organization" Governor; that he had done practically everything Murphy wanted done; and that Dix should be renominated. I said that if Mr. Dix were renominated I would do what I could to help re-elect him.

Mr. Murphy asked me if I thought Dix could win again. I replied that he ought to know; that he should be familiar with political conditions in the State; and that he was the best judge of that.

Mr. Murphy asked me if I intended to be a candidate for the nomination for Governor. I told him that if Governor Dix was to be renominated I would go back to Congress. Nevertheless, I said, I had received hundreds of letters from Democrats throughout the State, urging me to be a candidate and pledging me support. I told

him I was going to the State Convention; that if Dix was not to be renominated, I would get in the race. I made Mr. Murphy understand that I was opposed to having a dark horse nominated at the last minute; that if Dix was out, I would make a fight for an open Convention; a fair field, and no favor. I said the rank and file of Democratic voters were tired of eleventh-hour candidates selected by him in the back room of the hotel.

I went to the Syracuse Convention. I got there a day or two ahead of the meeting. I stopped at the Onondaga Hotel, and organized the fight when I found out that Governor Dix was to be shelved. My nomination came to me as a result of this fight, and is now history. I made no promises to anyone, and the nomination cost me nothing but railroad fares and hotel bills.

While at Syracuse I did not meet Mr. Murphy. After my nomination I returned to New York. So far as my campaign went I had to leave many of the details to others.

The campaign, as you know, was a short one. I had but one conference with the Democratic leaders. It was at Delmonico's. Mr. Murphy presided. Ways and means, and the conduct of the campaign, were discussed. I immediately began hard campaign work, and was away from New York City most of the time on stumping tours. They say I made more speeches, in the time between my nomination and election, and spoke to more people, than any candidate for Governor in the history of the State.

After election I went to Monticello for a weeks' rest, and thence to Washington to clean up my work as Chairman of the House Committee on Foreign Affairs.

Before I went to Washington, and when I came back to New York City, and before going to Albany, I met Mr. Murphy by appointment several times.

Mr. Murphy did not attend my inauguration. I did not see him after I left New York City to be sworn in

until he came to Albany to attend the meeting of the Democratic Presidential Electors. When he was here for the Elector's meeting I saw him for a moment in the Executive Chamber; then at the luncheon at the Executive Mansion. Subsequently he wanted me to come to the hotel to confer with him. I wanted him to meet me in the Executive Chamber or to come to the Executive Mansion. He refused to do this, and I declined to go to the hotel. I wanted to do things in the open. He wanted to meet in secret.

The next time I saw Mr. Murphy was at the house of Judge McCall, in New York City. It was on Saturday night, about the first of February. Judge McCall was present some of the time. I was anxious to nominate the best man I could find for Chairman of the Public Service Commission. I urged the nomination of several worthy men.

Mr. Murphy insisted that I appoint his friend, John Galvin. I declined to do it. He refused to consent to the appointment of any one of the several men suggested, and said that if I sent to the Senate the ~~way by approach-~~ nomination—that he controlled the Legislature, and demanded the patronage of the State.

At this meeting, and others, Mr. Murphy insisted on certain pledges regarding legislation, and especially concerning appointments to the Public Service Commission; the Health Department; the Labor Department; the State Hospital Commission; the Department of State Prisons; and the Department of Highways. I declined to make pledges.

Mr. Murphy insisted that I appoint George M. Palmer, for Chairman, and Patrick E. McCabe, for member of the Public Service Commission of the Second District; "The" McManus for Labor Commissioner; John H. Delany for Commissioner of Efficiency and Economy; Dr. Biggs for Health Commissioner; a man named

Meyers for State Architect; a man in Brooklyn for State Hospital Commissioner; and James E. Gaffney for Highway Commissioner; in case I wanted to supplant Reel. He said at first that Reel ought to be kept; that he was a good man; but that if I wanted a new Commissioner of Highways, "Jim" Gaffney was the best all-around man in the State for the job. When he found out I would not keep Reel, he demanded the appointment of Gaffney, and finally issued the ultimatum—"Gaffney or war."

He was much opposed to Mr. Gibbs, of Rochester, for State Hospital Commissioner, and said he would not be confirmed; and was also opposed to Judge Riley for Superintendent of Prisons; and especially to Mr. Rattigan for Warden of Auburn Prison. He told me that he was entitled to control the patronage of the State; demanded that I surrender to him the appointing power of the Executive; and allow him to name the candidates

Th office.

but on the conversations I had with Mr. Murphy was that I was the Governor; that the people elected me to be Governor; that I intended to be Governor; that I was not going to be a "proxy" Governor or a "rubber stamp" for him or any other man.

He laughed at me and rebuked me for this, and said that I might be the Governor, but he controlled the Legislature; that unless I did what he wanted me to do regarding legislation, State policies, and appointments, I could not get my nominations confirmed; and that he would block everything I wanted to do regarding legislative reform with the forces he controlled in the Legislature. It was disheartening and discouraging—but I tried to be patient, get along, and do my best for the sake of peace and the good of the general welfare of the State.

I saw Mr. Murphy in New York City on February 28, when I went there to attend the Allied Real Estate

Men's Dinner at the Waldorf; again on March 1, at the Amen Corner Dinner; again in Washington at the Shoreham Hotel, the night after the inauguration; again in New York City on March 18. The last talk I had with Mr. Murphy was on the night of April 12 and 13.

From the beginning of January to April 13, there was hardly a day, however, that Mr. Murphy did not send a messenger to see me with peremptory demands to do this or to do that. Some requests were reasonable, and I did them; and some were so unreasonable, and so much against the public welfare, that I refused to do them. By April 13 our relations were badly strained. I could not comply with the demands of Mr. Murphy, and I realized that we had come to the parting of the ways.

No doubt Mr. Murphy knew before this, as well as I did, that it would be impossible for us to get along. My views were very different from his views. I was determined to be the Governor; to be honest and independent; to do my duty to all the people according to what I believed to be right, and to carry out, as far as possible, the platform pledges on which I was elected. I also wanted to treat all the Democratic county organizations squarely, whether these county organizations were controlled by Mr. Murphy or otherwise.

When Mr. Murphy found out that he could not use me and control me, he sent emissaries to see me frequently, to demand that I do certain things, and to threaten me if I refused. These threats began in a small way in February, and continued with greater vehemence up to the very night the Assembly passed the resolution of impeachment.

From the hour that I took my oath of office, down to the present time, I never had any doubt as to what I should do. All I wanted to be was honest; to do my duty for duty's sake; and to make a clean record as Gov-

ernor. I told Mr. Murphy several times that I could succeed if he would leave me do what I knew was right; but that I could not succeed if I was to be a cat's paw for him, and do what he wanted me to do.

Mr. Murphy told me that he had it in his power to wreck my administration; to throw me out of office; and that if I did not stand by the "organization" and do what he requested, he would throw me out. He said he could pass a resolution to impeach me; that he had the votes in the Assembly; and that he had absolute control of both branches of the Legislature. At first I did not take these threats seriously. I could not believe Mr. Murphy meant what he said.

Through Mr. Murphy, and the people he sent to see me, everything which has been brought out by the Frawley Committee, including the "Vermont fabrication"; and the "breach of promise frame-up" in Philadelphia, were used to frighten me and to coerce me. Besides, I was threatened with removal from office, and with personal disgrace, unless I did what Mr. Murphy wanted me to do.

My efforts for truly progressive government were blocked by the refusal of the Murphy Legislature to let me install in office men capable and willing to work out progress. Some of my plans were thwarted by the treachery of men I trusted, who took "orders" from Mr. Murphy when I refused to take these "orders." Some other reforms I had undertaken, like the advancement of conservation along the lines advocated by you while you were President, and like the effective regulation of railroads through the Public Service Commission, were never brought under way because Mr. Murphy planted his Legislature squarely across my path. I was blocked at every turn.

Perhaps you will agree with me that the chief service done for the State by its present Governor was the exposure of the monumental frauds in the Highways and on the Canals. Some of the criminals exposed are on

their way to prison, and much of the vast plunder they made off with should be recovered by the State. But not one-tenth of that story of graft has yet been told.

The reason why the revelations are only a fraction of the full sum is that Mr. Murphy, when he saw I meant to bring the thieves to justice, caused his Legislature to cut off every dollar of appropriations which could have been devoted to the apprehension of the criminals. Nearly all that has been done was achieved with funds furnished by Commissioner Hennessy, and patriotic citizens, from their own resources, and by me out of my own pocket.

You, as a careful student of government, and as a former Governor of New York, are no doubt aware of the reforms which I succeeded in promoting in spite of the ownership of the Legislature by Mr. Murphy.

In this connection let me remind you of the reorganization, in the interest of thousands of workers, of the State Department of Labor; of the scientific enlargement of the archaic Department of Health; of the saving of about \$8,000,000 for the taxpayers which had been extravagantly appropriated by Mr. Murphy's Legislature; of the enactment of a Full Crew Law in the interest of safety in railroad operation; of the laws to compel honesty in business transactions on the New York Stock Exchange; of the working out of a scientific good-roads programme to take the place of the corrupt and chaotic scheme of highway construction; of a business administration applied to the great canals instead of a plan to promote graft; of the appointment of specialists, and men of practical knowledge of their duties, to administer affairs requiring expert ability; of the elimination of fraud and gross inefficiency in the management of State Prisons, where unspeakable vileness and disease have been promoted under the complacent administration of a Superintendent who took "orders" from Mr. Murphy.

My record thus far, as the Governor, tells its own



From the *New York World*.

MURPHY SEEING THINGS.

story. God knows I have done my best, day in and day out, for the State. On the record I rest my case for my ultimate vindication against the vicious assaults on my character by Mr. Murphy.

Some of the interviews with Mr. Murphy are burned in my memory because of his insolence to me and for the sordid brutality of his demands. I will not weary you with the details of the conversations when he called on me to withdraw the nomination of John Mitchell as Commissioner of Labor and to substitute the name of "The" McManus; that I make Gaffney Commissioner of Highways, and that I withdraw the nominations of Mr. Gibbs, for State Hospital Commissioner; Judge Riley, for Superintendent of State Prisons; and call off Blake and Hennessy, who were after the grafters. This and other commands from the Boss—directly and indirectly—I firmly refused to carry out. He said John Mitchell was a Roosevelt man, and that he would defeat his confirmation.

When I pleaded for an honest Direct Primary law, he said he would defeat my bill to fulfill the Democratic party's pledges to the people for Direct nominations. When I begged for a chance to make good he mocked me. When I told him he would wreck the Democratic party, and accomplish his own political destruction if he persisted in shielding grafters and violating platform pledges, his retort was that I did not know what I was talking about: that the reformers were running me; that he had been a fool not to demand promises from me at Syracuse; that he would destroy me if I did not do what he demanded.

When I came back to Albany from New York City on April 13, I carefully considered my plight and the whole State situation. I had to choose between surrendering to Mr. Murphy and doing what he wanted me to do, or resigning the cares and responsibilities of my office, or fighting for what I knew was honest and right.

It did not take me long to determine not to surrender. I could not do that and maintain my future self-respect.

However, I thought long and seriously about resigning the office—in fact, I wrote out and signed my resignation—but finally concluded not to resign, because it would be cowardly and in violation of my pledges to the people.

Then I concluded to fight, and to fight hard, and I have been fighting ever since, all of which is pretty well known to some of the people—to my friends and enemies—and I know I have the most bitter enemies in the State. Every agency these enemies could use to destroy me has been used. It is a long, sad story, and I shall tell it all when I get a chance to do so.

Many people believe that the troubles between Mr. Murphy and myself have arisen largely from disagreements regarding patronage, or appointments and removals from office. This is so to some extent. Many people believe that Mr. Murphy and I quarrelled on account of legislation which he wanted approved and which I disapproved. This is also true to some extent.

However, the real trouble arose when I discovered, through agencies which I set at work, the tremendous frauds, and overwhelming corruption, existing in various departments of the State Government, by which a few politicians and contractors were robbing the taxpayers of millions and millions of dollars every year. When I discovered these frauds, and had the overwhelming proof of them submitted to me, I determined, as a matter of duty, to set in motion the machinery of justice, to bring the grafters to an accounting.

This, and my fight for Direct Primaries, severed all relations between Mr. Murphy and myself, and marked me for political slaughter. It was a matter of self-preservation for Mr. Murphy and his grafting lieutenants.

On Sunday, the 18th day of May, the *New York*

*World* published an interview with me regarding my fight for direct primaries. Mr. Murphy read this and accepted it as the final declaration of war. He summoned a few of his lieutenants to meet him at Delmonico's. The names of some of these men are known. This conference lasted practically all night, and it was finally agreed, that they had to "get me," and that I must be removed from office for their safety and security and salvation.

As one of the men present put it: "If we don't throw him out, he will throw us in." As another tersely expressed it: "If we don't get him, he will get us; it is his life, or ours."

After this Delmonico conspiracy there were subsequent meetings of these men, and others, who were working night and day to get something against me to discredit me in the eyes of the people, or sufficient to prefer charges against me in the Assembly and thus remove me from office.

Every agency known to astute political conspirators was set in motion. My life was raked from the time I was born down to the present day by detectives, investigators, and various sleuths, with the object of finding out something that would injure me. Criminals and perjurors were utilized to defame me. I was hampered in my official duties, obstructed in the public work, and privately hounded, villified, denounced and threatened.

The first thing the conspirators did in the plot to poison the public mind against me was to put out that "Vermont lie." I promptly told the truth about the matter, and it fell flat. The document given to the newspapers by George M. Curtis was a forgery, and I have the proof to demonstrate it. Then came the Philadelphia "breach of promise frame-up." That also fell flat when I told the truth about it.

In the meantime, the Frawley Committee got enlarged powers by the Thompson resolution, and was set dili-

gently to work with the aid of paid spies, informers, traitors, detectives and investigators to go into my personal affairs, my family matters, and the details concerning my campaign for the Governorship. Some of these things are pretty well known to the public, but there is much to be told about them which I hope will come out during the trial—and I want all the facts to come out.

Long ago, as I have said, I wanted to make a complete answer to the vicious and baseless charges of the Frawley Committee; tell everything I know; but I was advised against it. Many friends like you have counseled me to tell the whole story plainly, and bluntly, and honestly, and trust the people and take them into my confidence. I have always been anxious to tell the truth and hide nothing, and would have done so, only my counsel cautioned me against making any statement, or giving out any interview, concerning any matter in connection with the case, save the statement I gave out on the 11th of August. Naturally, I felt bound to follow this advice, and hence have remained silent while everything has been said and done by my enemies to injure me, to blacken my character, to discredit me, and to disgrace me in the estimation of my fellow citizens.

No one can conceive how I have suffered from these false and contemptible attacks, and how I have chafed under the restraint. But I have adhered to the advice of my counsel, notwithstanding the abuse which has been heaped upon me, and the lies which have been told, because I would not be a party to the Murphy system of looting the State.

Colonel Roosevelt, my conscience is clear; I have done no wrong; the truth will sooner or later prevail; the taxpayers some day will know that because I would not be Murphy's marionette and his proxy Governor; that because I would not shut my eyes to the tremendous frauds on the highways and in the canals; that because

I would not even wink at them; that because I began to expose them—that then Mr. Murphy and the men who have waxed fat within recent years, by reason of this stupendous graft, made up their minds to get me out of the office the people gave on election day.

Let me hope that I have told you enough in this letter—already too long—to justify your conclusion, as written in your encouraging letter to me, that the attempt of Mr. Murphy to destroy me is because I am an obstacle in the way of the “Boss” and a menace in office to the enemies of the public. It follows that Mr. Murphy has put me on trial not for anything I did before I became Governor, but for what I refused to do for Mr. Murphy, and for what I tried to do for the State, after I took my oath of office.

The fate to which I have been condemned by “The Leader” of Tammany Hall is meant by him to be a lesson, for all time, to men in public office who dare to serve the people, who have the courage to do their duty—a warning from the “Boss” to every public official in the State not to presume to set himself up between the Murphy band of plundering criminals and the taxpayers they despoil.

Let the people consider their own interests first; and my constitutional rights secondly. I know they are both in jeopardy.

No doubt you have read some of the reports of Commissioners Blake and Hennessy about graft, which, cancer-like, is eating into the very vitals of the State. You know that Grand Juries have unearthed at the beginning of an inquiry into State-wide frauds on the highways and in the canals, thefts running into millions and millions of dollars. You know that when Mr. Hennessy speaks of Tammany’s graft, and the size of the stealings, he does not exaggerate. My accusers are the founders, and the defenders, and the beneficiaries, of this system of

loot whose further success and existence now depend on the taking of my official life.

There are men who know that I could defeat my impeachment if I would only consent to call off Mr. Hennessy and stop the wheels of the machinery of justice I have set in motion. I refused to listen to the tempters, and resolved to go forward with the work for decent citizenship and honest government—come weal or woe. Did I do right? Time will tell. At all events, I feel confident posterity will justify my stand for the right.

If I were legally, or morally, guilty of a single breach of any law—which I affirm I am not—it would be the people of the State, in that event, who would in the end have to bear grimly the heavier punishment of my removal from office. They would have to suffer for my dereliction. But if I have done nothing more than make an unwitting mistake—easily explained—lacking even in moral turpitude, then the people ought to realize that if Mr. Murphy's conspiracy against the Governor of the State succeeds, it will mean a lasting blot on the fair fame and the good name of our Commonwealth.

Faithfully your friend,

WM. SULZER.

## CHAPTER LXVIII.

## SHALL WE DO OUR DUTY?

## Ex-GOVERNOR SULZER'S SPEECH REGARDING STATE-WIDE INVESTIGATION OF GRAFT.

(From the New York *Evening Mail*, January 16, 1914.)

Ex-Governor Sulzer delivered a notable speech in the Assembly last night in advocacy of the appointment of an Assembly committee, to carry on a state-wide investigation of the state departments, which are known to be honeycombed with corruption. He spoke in part as follows:

"Mr. Speaker, no man in this state knows more about graft than I do. No man in the history of our commonwealth has been a greater victim than I have been to the corruption which to-day honeycombs the departments of the state.

## ALL CROOKS LOOK ALIKE TO THE TAXPAYERS.

"In this matter of getting the grafters there should be no politics. Politics should rise above graft. Politics should be manly. Politics should be honest. Politics should be based upon great principles. There should be no politics in corruption. All crooks look alike to the taxpayers.

"Only last night the leader of the minority, of the co-ordinate branch of the legislature, made a charge against a former Governor of mutilating a law to facilitate political graft. It was in regard to the graft on this capitol. I have no hesitancy in saying that an investigation,

instituted by me, showed that hundreds of thousands of dollars were stolen from the moneys appropriated for the renovation of this Capitol.

"Could I bring these grafters to justice? No. And yet there is on record the overwhelming proof of the thefts of these moneys.

### \$6,000,000 STOLEN IN ONE YEAR, ON HIGHWAYS.

"So on the canals and in the state prisons. I shall be brief, because this is not the time to go into details regarding the thefts in the highways; but evidence in the possession of investigators I instructed to find out the facts, shows that over six millions of dollars of the taxpayers' money was stolen on the highways in the year of 1912.

"So on the canals and the state prisons. Thousands, and hundreds of thousands of dollars of the taxpayers' money have been stolen.

"So in several other departments of the state government—corruption cold, and cynical, and calculating. Corruption that saps the very foundation of the state; corruption that cancer-like is eating into the vitals of the body-politic; corruption that staggers the taxpayer, and makes the decent citizen hold his head in shame.

"One of our great editors, no less a man than Col. Henry Watterson, of the Louisville Courier-Journal, has said that the people of the State of New York are incapable of self-government. I cannot rest, as a citizen of this state, under that indictment. Speaking for my constituency, I say that it is the duty of every member of this House to favor an investigation of graft that shall be state-wide in its scope and character; that shall go to the bottom; that shall be a probe and not a cover; and that shall shield no one.

## SEPARATE SHEEP FROM THE GOATS.

"Let us separate the sheep from the goats. Let us find out who are the honest men and who are the thieves. Let us be bold enough, and brave enough, and honest enough, to spare no one who is guilty. When these reports came to me, as Governor, through my investigators, one of them told me, "This will hit one of your friends; this will send him to prison; do you want me to go on?" I answered, 'Yes, go on, go on to the end; spare no one who is guilty. If my brother were guilty of robbing the taxpayers I would prosecute him.' We went on, and the grand jury indicted one of my friends. We went on, and the petit jury convicted him. And so in every case where these frauds were presented to grand juries, there were indictments, and in every case where indictments have been brought to petit juries, convictions have followed.

"We only had an opportunity, for reasons you know, to go into twenty-two counties in the highway graft, but we have proofs, overwhelming proofs, of frauds in these twenty-two counties; and I know, and I speak advisedly when I say, that the corruption in most of the other counties is as bad as in these twenty-two.

## GREAT EFFORT TO COVER UP CRIME.

"Every effort is being made to cover up the crimes. Every influence is being brought to bear to shield the criminals. Men in high positions are doing all they can, morning, noon and night, to protect the grafters who ought to be in prison for the crimes they have committed against the state, and the depredations they have made upon the pockets of the honest taxpayers.

"The people are beginning to find out what some have known all along, that if I had consented to obey the 'Boss' and connive at the frauds on the taxpayers, my

tenure as Governor would be safe, and the grafters would have made no effort to remove me from the Governorship. However, my unconstitutional removal from the office of Governor was a blessing in disguise to the taxpayers. In this struggle for honest government some one had to be sacrificed, and if my sacrifice will accomplish the results the citizens desire, and hasten the reforms the people demand, I am content.

"Let me say now, because I do not want to repeat it, that I am here as an independent representative. In the struggle for honest government I hold no brief for any party. More Republicans voted for me than Democrats; and more Democrats voted for me than Progressives; and every Progressive in my district voted for me. I am here to do right as a citizen Assemblyman. I am here to tell the truth; and before this Assembly adjourns I hope to tell the truth; and the truth will make William Sulzer again Governor.

#### MAKES DECLARATION OF INDEPENDENCE.

"I shall vote here with the Republicans when I believe the Republicans are right; I shall vote here with the Progressives when I believe the Progressives are right; and I shall vote here with the Democrats when I believe the Democrats are right. As Lincoln said, I am bound to stand with those who are right; stand with them so long as they are right; and part from them when they go wrong. That is my position here, and that is all there is to my membership in this Assembly.

"To-day I want to tell you that it is impossible for the District Attorneys to carry on these investigations. They have no money to do it, and they cannot get the money from the County Boards of Supervisors. These frauds are state frauds; these thefts are state thefts. The investigation is a state matter, and no man here can dodge it. If he dodges it he is a marked man.

## A DIFFERENT ASSEMBLY.

"This is a different Assembly from that of last year. A new Speaker presides. The old faces are not here. The faces that laughed at the taxpayers; that defied public sentiment; that carried out the 'orders' of the unseen government; that impeached the Governor because the Governor refused to do wrong; where are they? They are gone hence; their outraged constituents kept them home.

"So, unless we—their successors—arise to the opportunities the voters have given us; unless we meet like men the responsibilities now devolving upon us; unless we have the courage to go forward, for honest government, without fear and without favor, come weal or come woe, the next Assembly will be as different from this, as this Assembly is from the one last year.

"This is the time that tries men's souls. The people want a committee of real men to conduct these graft investigations. As the poet said:

"God give us men! A time like this demands  
Strong minds, great hearts, true faith, and ready hands.  
Men whom the lusts of office do not kill;  
Men whom the spoils of office cannot buy;  
Men who possess opinions and a will;  
Men who have honor—men who will not lie;  
Men who can stand before a demagogue,  
And face his treacherous flatteries without winking;  
Tall men, sun-crowned, who live above the fog,  
In public duty, and in private thinking;  
For while the rabble, with their thumb-worn creeds,  
Their large professions and their little deeds,  
Mingle in selfish strife. Lo! Goodness weeps,  
Wrong rules the land, and waiting JUSTICE sleeps."

"They say I know public sentiment. I know the work-

ings of the average mind, and I know there is no power on earth so potent as an aroused and an outraged citizenship. The citizens of the State of New York are more determined to-day to go to the bottom of these gigantic frauds, and find out about these tremendous thefts than they ever were about anything that concerned the welfare of the state since the dark days of the War for the Union.

"The time has come for us to decide between right and wrong, between justice and injustice. The Assembly must investigate these frauds on the taxpayers of the State—frauds running into millions and millions of dollars. We must do our duty. We must select a committee that will go forth and clean out the Augean Stables; root out the graft; and destroy iniquity. That is the way to do this work; and unless we do it so that the people shall have confidence in our work; and unless the committee meets the just expectations of the citizens, we shall fail to do our duty. Now is the time for us to act.

"Once to every man and nation,  
Comes the moment to decide,  
In the strife of truth with falsehood,  
For the good or evil side;  
Some great cause, God's new Messiah,  
Giving each the bloom or blight,  
Parts the goats upon the left hand,  
And the sheep upon the right,  
And the choice goes by forever,  
'Twixt the darkness and the light.

"The time is here for us to decide between the darkness and the light—between the wrong and the right. The question is 'Shall we do our duty? Shall we go forward, or sit here, marking time, while the decent people of the state point at us the finger of scorn?'"

## CHAPTER LXIX.

## THE COURT OF LAST RESORT!

WHAT IS JUSTICE IN NEW YORK?  
THE SULZER CASE AND THE BECKER CASE.

(Editorial from the Auburn Citizen, March 1, 1914.)

"There can be no question that Senators Frawley, Ramsperger, Wagner, Brown, Thompson, and Sanner had formed and expressed an opinion on every article of impeachment," declared Judge Herrick in the Sulzer trial. "The injustice and impropriety of these Senators sitting as judges is apparent to all."

Judge Herrick further contended that all the members of the Court should be uncontaminated by the slightest bias, and showed that these Senators had continued their role of prosecutors even after the articles of impeachment had been jammed through the Assembly. He cited many authorities and pointed out, moreover, that the rules adopted by the impeachment court, those of Supreme Court, precluded these Senators from sitting because the Supreme Court rules provide that no person could ACT BOTH AS PROSECUTOR AND JUDGE!

The seven members of the Court of Appeals to whom the people of the State looked for the safeguarding of all our cherished notions of fair play sat unmoved with the Tammany Senators comprising the Court of Impeachment!

HERE IS A POINT ON THE CANDOR OF WHICH NO MAN CAN DIFFER. IS IT FAIR

THAT MEN WHO HAVE DUG UP THE EVIDENCE, WHO HAVE PREPARED THE CASE, WHO HAVE HAULED YOU BEFORE THE BAR, SHALL THEN TAKE SEATS UP WITH THE JUDGES AND BE PERMITTED TO SIT IN JUDGMENT? IS THERE ANYTHING MORE ATROCIOUS AND REVOLTING TO THE AVERAGE MAN'S NOTION OF DECENCY? THE SEVEN JUDGES MADE NO PROTEST. THEY LOST NO TIME IN WAVING ASIDE JUDGE HERRICK'S CONTENTION, A CONTENTION AS SOUND IN MORALS, LAW AND ETHICS AS THE GOLDEN RULE, AND ONE THAT WILL SOME DAY BE THE GUIDING PRINCIPLE IN EVERY COURT IN THE REPUBLIC!

GOVERNOR SULZER WAS OUSTED FROM HIS OFFICE BY ONLY TWO VOTES. IT FOLLOWS THAT IF ANY TWO OF THESE BIASED AND PREJUDICED TAMMANY SENATORS HAD REFRAINED FROM VOTING MR. SULZER WOULD STILL BE GOVERNOR.

Now look at the Becker case! Reviewing the Becker case this same Court writes: "The defendant certainly was entitled to a fair and impartial trial, where nothing should be done to prejudice his case."

In another criticism of the trial the Court says: "Haste seemed to become the essence of the trial. Some of the adverse rulings passed beyond the limits of discretion, while others tended unnecessarily to embarrass the defendant's counsel. The conduct of the trial was grossly unfair to the defendant."

Isn't it queer that the highest court in the State is so keen to safeguard the rights of Charles Becker that, by such an overwhelming vote, six to one, the judges grant him a new trial?

Were they as keen, however, to safeguard the rights of Governor William Sulzer?

Who believes that the Court of Impeachment, in allowing the prejudiced Senators to sit, gave William Sulzer the same kind of justice that the Court of Appeals gives to Charles Becker?

Were these Judges unable to guarantee to William Sulzer "a fair and impartial trial?"

Was not "haste the essence of the Sulzer trial," as well as of the Assembly impeachment proceedings?

Did not "the adverse rulings pass beyond the limits of discretion" and did they not palpably deny the principle of justice that the judge shall not be the prosecutor when William Sulzer was tried?

#### WHY WAS SULZER LYNCHED? WHY WAS BECKER GRANTED A NEW TRIAL? ASK THE SYSTEM.

The trial of William Sulzer is going to enter very deeply into future events in this State. The people no longer are in the frame of mind where they must be convinced that no injustice can be done under the law. They are satisfied it can be done. Watch the reform of the courts that the next decade has in store!

The "System" never sleeps at the switch. It is time for the people to know that. We have been told of the Delmonico Conference to oust Governor Sulzer from office. Some people have called it the Delmonico Conspiracy against Sulzer. The "System" worked rapidly after that. Lawyers—crafty and clever and cunning—as well as scores of detectives were employed—and paid out of the pockets of the taxpayers. What for? To get Sulzer. Among the lawyers retained by the Murphy gang was former Chief Judge Alton B. Parker, of the Court of Appeals. What for? Well, a short time after Parker invited the Judges of the Court of Appeals to be his guests, at his country place, in Esopus, on the Hudson. What for? Well, if Parker would tell the truth about it, in the language of the

late Horace Greeley—"the same would make mighty interesting reading."

Then the manner in which the Assembly adopted the impeachment resolution, so plainly unconstitutional that no intelligent citizen will concede that such action could have been legal, discredited courts notwithstanding; the apparently illegal composition of the Court of Impeachment, the sitting of the Frawley gang of impeachers in the trial court, and many other glaring violations of our traditional notions of justice, surely warrant the conclusion of the illegality of the whole proceeding.

Mr. Sulzer promptly appealed to the United States Supreme Court from the judgment of Ouster of "Murphy's Court of Infamy." The case was submitted to the Court of Appeals early in the year with the hope of a speedy determination, so that the case could be argued ere the Summer adjournment, in the United States Supreme Court. If it could not be argued in the Spring Term of the United States Supreme Court, then it had to go over until late in the Fall, and the case could not be decided until Mr. Sulzer's term of office expired.

Why did the Court of Appeals refuse to decide this case, one way or the other, especially in view of the fact that it could quickly dismiss the case, or affirm the decision of the lower courts?

The lawyers, and the "Friends of Justice," of the country are discussing the matter, and are wondering why the Court of Appeals delayed a decision in this case. Was it because the Judges of the Court of Appeals are doubtful of the decisions they made in the Court of Impeachment? Was it for fear of a reversal in the United States Supreme Court? Did they deliberately delay the Sulzer case so that the United States Supreme Court could not decide it until after Sulzer's term of office expired?

Do not forget that a delay of justice is a denial of jus-

tice. In a speech in Congress, years ago, Mr. Sulzer said:

"An injustice to one is the concern of all. If I am the victim of injustice to-day, who knows, but you may be the victim of injustice to-morrow."

Why did the Judges of the Court of Appeals refuse justice to Governor Sulzer? Some day you shall know. Some day the truth will all come out.

We ought to have the opinion of the United States Supreme Court in the Sulzer case so that when the next constitution of New York is drafted the delegates will have the most complete information at hand to prevent another criminal conspiracy of political bosses from throwing out a Governor, because he dared to oppose the further looting of the State, and because he dared to defy their will. Our revised constitution must be no Murphy document.

## CHAPTER LXX.

## WHY MR. SULZER DID NOT TESTIFY IN THE MURPHY COURT.

Some of Mr. Sulzer's critics have asked why he did not testify during the trial. We are glad to answer that question. If we have not made it clear thus far in this book, we want to make it clear now.

Mr. Sulzer, on the merits, had an absolute defence to the "framed-up charges" of Mr. Murphy. His defense was carefully gone over by his lawyers, and it was agreed that he should take the stand, and they knew the revelations he would make would startle the state, from end to end, and bring about the Governor's complete vindication. Tammany knew this.

Mr. Sulzer's defence is well set forth in the admirable letter he wrote to Col. Theodore Roosevelt. When Mr. Sulzer received the letter from Col. Roosevelt he carefully wrote out his answer. This answer was sent to the Colonel, and he was so pleased with Mr. Sulzer's complete defence that he asked to give it publicity, saying to the Governor, and to several friends, that if he, Col. Roosevelt, were permitted to make public use of the letter, it would win the case.

It must not be forgotten, however, that Governor Sulzer had promised his lawyers, that under no circumstances, would he take any official action; or write any letters for publication; or give out any interviews to the newspapers, regarding his case and the defense, without their approval. Mr. Sulzer's lawyers were insistent on this, and the Governor conscientiously kept his word.

It has been shown very conclusively, we believe, thus far, that the lawyers for Mr. Sulzer endeavored to lay the foundation for the Governor's testimony by calling as witnesses in his behalf, Samuel A. Beardsley; John A. Hennessey; John N. Carlisle; George W. Blake, and several others. The Murphy members of the Murphy court knew the object of this procedure, and voted to exclude this testimony.

When these witnesses were called, and the purpose of their testimony disclosed, the Murphy court promptly went into secret session, behind closed doors, and by a majority vote excluded the testimony, although it was material, and competent, and essential to the Governor's defence.

When this was done it was apparent that the Murphy court would also exclude the testimony of Governor Sulzer relating to the difficulties he had with Mr. Murphy, and the real reasons why Mr. Murphy was endeavoring to remove him from office. Hence it was concluded that in no way, as the court was constituted, could the Governor's testimony be presented. If he had taken the stand, he would have been unable to present his side of the case, as the court was "packed" against him, and had ruled out all testimony in his favor. Of course the court would have ruled out the Governor's testimony.

There was another reason why Mr. Sulzer did not take the stand. From the beginning the Governor claimed that the court was without jurisdiction; unconstitutional; and its proceedings null and void. He refused to recognize the court as a legal body competent to try him. He stood squarely on the law, and his constitutional rights. The Governor never entered the Murphy court room. He never subjected himself to the jurisdiction of the Murphy court, except through his lawyers who appeared for the purpose of raising certain

constitutional objections to the formation of the court and to its jurisdiction.

At all events the Governor did not go into the Murphy court, and those familiar with the case, looking back over it all, believe he was entirely justified, and that if he had taken the stand his testimony, like that of his witnesses, would have been ruled out by the Tammany Court, and the result would have been just the same.

We leave it to the reader to judge whether or not, all things considered, the Governor did not do right. Say what you will, the impartial reader of these pages must irresistibly come to the conclusion that Tammany had the votes in the Court at all times to exclude his testimony and remove him; and that Tammany by hook and crook succeeded. Tammany sowed the wind, and Tammany reaped the whirlwind.

## CHAPTER LXXI.

## WATCHMAN, WHAT OF THE NIGHT?

The work of William Sulzer is not finished. As he said when Murphy's court removed him: "My fight for honest government has just begun." The people of New York are with him in the fight.

The people of the State have rallied to the support of the Sulzer Cause—the cause of honest government—and the fight will go on until it triumphs. The cause of honest government—for which Mr. Sulzer fought, and for which he was sacrificed—is a far greater issue than the question of Sulzer—but Mr. Sulzer is the man to lead the fight.

The people of New York will never forget Sulzer; and they will not forget that the power that removed Sulzer might be used to remove another Sulzer—who dared to be free—who dared to be honest. That power must be destroyed.

• The fight for honest government must go on. Wm. Sulzer is playing his part well, and his race is not yet run. From the watch towers he sounds the alarm. He is the leader. The great living issue he typifies and represents, pulsating with the life blood of humanity, will go forward until a cleaner and purer day arrives in the political life of New York.

The unseen government is doomed. Invisible government has had its day. The people at last are awake to the fact that ballots are only respectable when they represent convictions. The day is forever past when men will blindly go to the polls to register the wishes of a political boss under the threat of regularity.

The time has arrived when the people demand that every party, and every Boss of a party, must halt on the frontier of their political approval before they shall be allowed to advance.

Eternal vigilance is the price of our liberties. Progress is the watchword of humanity. He who would attempt to stop the wheels of progress is doomed to defeat. The night of party slavery has been long; sometimes it has seemed as if the day would never come; but at last the morning light of the brighter day shines through the darkest clouds of night, and hope is renewed. As Wm. Sulzer cried out in the Assembly in his last great speech for honest government:

“I shall not rest till my work is done,  
“And the people are satisfied.

“So toil I must till the set of sun,  
“Lest the hire be denied.

“And so till the set of the sun toil on,  
“And, Oh soul of mine, be true;  
“Till the grand reward and the glory’s won,  
“And the cause shall triumph too.”

These words of our leader ring true. We must re-echo them. We must not rest till our work is done—till the grand reward and the glory’s won. We must fight like Sulzer fights; and if we do, the victory over corruption will be ours.

America is America. The ideals of true Americanism are coming to the front. The old regime is passing away. The people demand social justice, economic freedom, and civil and religious liberty. Our free institutions must and shall be preserved. Thieves have been rioting in the rich reward of treason, but by the living God, they have gone too far.

Wm. Sulzer, our watchman, sounds the slogan; the

sleeping commonwealth leaps to its feet, to sleep no more, until the cause of Sulzer and of honest government triumphs; until the conspiracy of graft is destroyed; until corrupt bossism is annihilated; and until every political rascal is driven from the public life of the State.

Brave and honest Wm. Sulzer has played his part well. New York owes him a debt it can never pay. He has shown the people the dangers with which they are beset. He is the Watchman of the Night. He must lead us in the fight in the future as he has led us in the past. He has been the friend of the plain people, and the honest folk of the State will follow him wherever he leads.

THE END.

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